

**The Federal Highway  
Administration  
Perspective on HOV Facilities**

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It is a pleasure to be here to open the 5th National Conference on HOV Systems. It is the first HOV Conference I have attended. It is a tribute to the Transportation Research Board and the TRB Committee on HOV Systems that these conferences continue to attract a large, enthusiastic audience of transportation professionals representing a wide range of disciplines and interests. I would like to acknowledge the contribution of the local conference committee, Duane Berentson, Secretary of the Washington State Department of Transportation, and Dick Sandaas, Executive Director of Seattle Metro, for hosting this year's conference and organizing an excellent agenda. Along with our sister agency, the Urban Mass Transportation Administration, FHWA is

proud to help sponsor and take part in this conference.

Seattle is an ideal setting for this conference. In response to rapid economic and population growth, Seattle has taken a multimodal approach to addressing urban congestion and transportation improvements. Further, Seattle is viewed as a national leader in multiagency cooperation in these efforts. In addition to having some of the oldest HOV lanes in operation and one of the largest regional HOV systems under development in North America, the region's overall transportation management program serves as a model for many other areas. Other components of this program include the freeway surveillance, control, and motorist information system, the incident management program, and extensive transportation demand management activities. These will all be on display this week. I encourage you to take advantage of the opportunities available to see these facilities while you are here. Seattle has a great deal to offer, and those responsible for the transportation systems in Seattle have a good deal to be proud of.

At the conference last year, Gene McCormick's comments were directed toward the National Transportation Policy and HOV facilities. This year I would like to address the implementation of that policy through the Department's Surface Transportation Reauthorization legislative proposal and other legislation that will have an impact on transportation. I would also like to discuss the important role we see for HOV systems in the post-Interstate Federal-Aid Highway Program.

I would first like to briefly review FHWA's position relative to the application of HOV systems. In October 1990, Tom Larson, FHWA Administrator, issued a memorandum to the field offices strongly

supporting the HOV concept and encouraging the proper application of HOV facilities. We recognize that HOV facilities are one of the most flexible, cost effective alternatives available to increase the person-moving efficiency of congested urban transportation systems. In many congested corridors, HOV facilities are a viable alternative that should be considered. However, to be effective, facilities require strong local community and political support, not federal mandates. To this end, Dr. Larson noted that "the most effective role for FHWA in the proper application of HOV facilities is to insure that knowledgeable decisions are made in the consideration of transportation improvement alternatives."

To help support informed decisions, FHWA is committed to improving its technical assistance program in this area. In the past few weeks, our Office of Traffic Operations and IVHS, in cooperation with UMTA and the Office of Research and Technology of the Research and Special Programs Administration, began distribution of several reports and a video on HOV systems. The video, which you will have the opportunity to see this morning, is the product of a joint effort among FHWA, UMTA, the TRB HOV Systems Committee, and the Orange County Transit District. This coordinated effort reflects the approach that will be needed to address urban congestion problems in this country. The Surface Transportation Reauthorization proposal recognizes the need for this coordinated and cooperative effort to optimize the efficiency of our transportation system.

The ability of public and private officials to implement future HOV facilities will be significantly improved as a result of recent and future legislative and policy developments. Three developments

represent important milestones in the application of HOV improvements. These include the 1991 Surface Transportation Assistance Act, the 1990 Clean Air Act Amendments, and the proposed bill to increase the tax-exempt mass transit subsidy. I would like to briefly discuss each of these developments as they relate to the planning and application of HOV facilities.

One of the key provisions of the 1991 Surface Transportation Assistance Act requires that states develop congestion management systems (CMS). The CMS is one of four management systems that are required for the National Highway System. The other management systems are for pavement, safety, and bridges.

The congestion management system must have a multi-modal orientation and is required as part of the transportation planning process in areas with populations over 200,000. A higher share of Federal-Aid funding will be provided for operational improvement projects that mitigate congestion on the designated National Highway System that are in accord with the congestion management system.

The congestion management system must be developed as a part of the urban transportation planning process. The metropolitan planning organizations (MPOs) will play a significant role in developing and coordinating many of the CMS elements. These activities, and the congestion management system, will also be coordinated with the process for developing State air quality Implementation Plans required under the new Air Quality regulations.

The types of strategies appropriate for incorporation into congestion management plans include the following:

- Projects that expand the operational capacity of the existing designated National Highway System, including HOV lanes.
- Projects that reduce demand on the facility or in the corridor, such as travel demand management actions.
- Projects that provide additional lanes.

Under this approach, additional lanes on the National Highway System will only be considered in cases where all viable operational improvements and demand reduction actions have been implemented or evaluated and found to be inadequate to handle future traffic at acceptable levels of service.

The congestion management system will provide two features to an urban area's planning and operations program that directly affect the application of HOV facilities. First, the CMS will provide for custom-tailored, multi-modal short and long term strategies which address both supply and demand options for relieving congestion. Second, the CMS will provide for the linking of planning and programming of congestion relief projects in urbanized areas. This will provide a basis for the inclusion of congestion management projects in the Transportation Improvement Program (TIP).

The concept of a congestion management system was initiated as part of the re-authorization legislation and is only beginning to be developed. There are many issues that must be addressed as the concept evolves into reality. However, the approach holds significant potential for integrating the planning, programming, and application of HOV projects into current metropolitan highway and transit programs.

While the 1990 Clean Air Act Amendments represent formidable challenges to transportation professionals, they also create significant opportunities for the use of high occupancy vehicle (HOV) facilities. The 1990 Clean Air Act Amendments recognize the emission-reducing potential of HOV systems as one of the many transportation control measures (TCMs) urban areas may consider to meet the requirements of the act. The following TCMs support HOV facilities and travel demand management action.

- Programs for improved public transit.
- Restriction of certain roads or lanes to, or construction of such roads or lanes for use by, passenger buses, carpools, or vanpools.
- Employer-based transportation management programs that include incentives.
- Trip-reduction ordinances.
- Fringe and transportation corridor parking facilities that serve multiple-occupancy vehicles or transit service.
- Programs for the provision of all forms of high-occupancy shared ride services.

While the Environmental Protection Agency (EPA) has the primary responsibility for interpreting, developing, and implementing the specific transportation air quality requirements, FHWA and the Department of Transportation have a consultation and concurrence role. We will work closely with EPA to insure integration of the new requirements of the Clean Air Act with Federal-Aid program and to provide for an orderly transition to the new requirements. The interim conformity

guidelines should be available with the next few weeks.

Two additional points on the Clean Air Act are worthy of note, as they relate to HOV facilities. First, areas that have been designated as severe non-attainment areas are required to implement special trip reduction programs for employers with 100 or more employees. These companies will be required to increase the average work trip occupancy levels by not less than 25 percent above the average for all work trips in the area. Affected employers have to submit plans showing compliance within a set period of time. This represents the first time a national law has required private sector participation in addressing employee transportation.

The second point regards sanctions that might be imposed under the Clean Air Act. If sanctions are imposed, the Department of Transportation may grant exemptions only for certain types of projects. These include safety projects, construction or reconstruction of bus or high-occupancy vehicle facilities, capital programs for public transportation, and fringe parking facilities. In general, transportation-related programs that improve safety or discourage single occupancy vehicle use may be exempted.

Another significant development on the horizon is legislation relating to the transit pass and parking tax exemption. At the present time there are seven bills in Congress that address the tax treatment of transit passes, parking, and other employer-provided transportation fringe benefits. FHWA is part of a working group, along with UMTA and the Office of the Secretary of the Department of Transportation, that will review all the bills and develop a Department position on this legislation. New legislation could also be developed by this group to represent the Administration's

interests. Secretary Skinner has gone on record at the recent American Public Transit Association's Legislative Conference supporting the need to change the tax law during this session of Congress.

This legislation is significant because it may create additional incentives for employers to encourage their employees to commute in carpools, vanpools, and public transit. This in turn could result in greater demands for HOV facilities.

Given the opportunities for future development of HOV facilities, I would like to leave this group with a challenge; to develop the market for HOV facilities in both the public and private sectors. As transportation professionals, you must look at HOV facilities as not just a physical element, but as a management tool to coordinate with other travel demand management actions that encourage people to carpool, vanpool, or take public transportation. You have done a superior job at designing, building, and operating HOV lanes. Continuing to build the market for the use of these lanes is an important activity. The opportunities to help in these activities will present themselves over the next year. This conference represents one of these opportunities.