

TESTIMONY

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MAY 20, 1981

SP#17

TODAY I WANT TO DESCRIBE THE DEPARTMENT'S PROPOSED LOCAL ROAD TURNBACK PROGRAM AND EXPLAIN WHY THIS PROGRAM CAN BE BENEFICIAL TO BOTH THOSE WHO MAINTAIN STATE ROADS AND THOSE WHO MAINTAIN LOCAL ROADS.

WE ALL KNOW THAT THE STATE HIGHWAY SYSTEM IS BIG - FAR TOO BIG. IT CONTAINS APPROXIMATELY 12,000 MILES OF FUNCTIONALLY LOCAL ROADS, WHICH HAVE BEEN TRANSFERRED BY POLITICAL ACTION AND HAPPENSTANCE OVER THE YEARS INTO THE STATE NETWORK. FOR EXAMPLE, IN 1931, THE STATE TOOK OVER 20,000 MILES OF RURAL FARM ROADS. ALTHOUGH THIS "GET THE FARMER OUT OF THE MUD" PROGRAM MADE SENSE FOR PENNSYLVANIA'S AGRICULTURAL ECONOMY IN 1931, WE ARE NOW STURGGLING TO PROPERLY MAINTAIN ALL THESE MILES. SINCE THE 1930's, MANY MORE LOCAL ROADS HAVE BEEN ADDED TO THE STATE SYSTEM BY LEGISLATORS, IN THE HOPES OF SAVING CONSTITUENTS' MONEY.

TODAY WE ARE PROPOSING A MECHANISM FOR EFFICIENTLY AND
EQUITABLY TRANSFERRING THESE ROADS BACK TO THE LOCAL SYSTEMS IN WHICH
THEY BELONG. THERE ARE SEVERAL REASONS WHY LOCAL ROAD TURNBACK
MAKES SENSE. AMONG THEM ARE:

1) PENNSYLVANIA'S STATE SYSTEM INCLUDES NEARLY 45,000 MILES
OF ROAD (44,203 LINEAR MILES). IT IS LARGER THAN THE COMBINED STATE
HIGHWAY SYSTEM MILEAGE OF NEW YORK, NEW JERSEY AND ALL OF THE NEW
ENGLAND STATES COMBINED.

2) WE MAINTAIN A LARGER PERCENTAGE OF ALL ROADS THAN STATE
GOVERNMENTS IN THE NEIGHBORING STATES OF NEW JERSEY, NEW YORK AND OHIO.
PENNSYLVANIA MAINTAINS 38 PERCENT OF ALL ROADS IN THE STATE, WHEREAS
LESS THAN SEVEN PERCENT OF NEW JERSEY'S ROADS ARE STATE OWNED. THAT
FIGURE FOR NEW YORK IS 14 PERCENT AND OHIO 17 PERCENT.

3) WE HAVE 29 STATE EMPLOYEES TO TAKE CARE OF EVERY 100 MILES OF STATE ROAD. NEW JERSEY HAS 261, NEW YORK 60 AND OHIO HAS 37.

4) OFTEN IT IS SIMPLY EASIER AND MORE COST EFFECTIVE FOR THE LOCAL JURISDICTIONS TO MAINTAIN THEIR OWN ROADS. WITH A SINGLE MAINTENANCE FACILITY IN MOST COUNTIES, IT IS NECESSARY FOR DEPARTMENT PERSONNEL TO DEPLOY THEIR CREWS FROM THOSE SHEDS AND OFTEN TRAVEL LONG DISTANCES TO WORK SITES. THESE CREWS PUT IN WHAT, BY NECESSITY, IS A SHORTER WORKDAY AND THEN RETURN A LONG DISTANCE TO THE SHED. CONTRACT MAINTENANCE HAS HELPED US IMPROVE OUR PRODUCTIVITY IN THIS REGARD, BUT FURTHER EFFICIENCY IS NEEDED.

LOCAL ROAD TURNBACK IS CLEARLY AN IDEA WHOSE TIME HAS COME. FOR THE PAST FORTY YEARS, THERE HAS BEEN INTERMITTENT INTEREST IN TRANSFERRING LOCAL ROADS. IN 1941, THE PENNSYLVANIA GOVERNMENT COMMISSION PRESENTED A REPORT RECOMMENDING THAT LOCAL ROADS BE TRANSFERRED TO MUNICIPALITIES. IN 1963, THE GENERAL ASSEMBLY COMMISSION THE AUTOMOTIVE SAFETY FOUNDATION TO STUDY THE SAME ISSUE. IN 1965, THIS ORGANIZATION RECOMMENDED THAT THOSE ROADS WHICH SERVE LOCAL FUNCTIONS SHOULD BE ADMINISTERED BY LOCAL JURISDICTIONS. WHILE DIRECTOR OF THE PENNSYLVANIA TRANSPORTATION INSTITUTE, I OVERSAW A STUDY ON THIS SUBJECT IN 1977. THIS STUDY ASSUMED THAT LOCAL ROADS SHOULD BE TRANSFERRED OUT OF THE STATE SYSTEM AND DEALT WITH HOW IT SHOULD BE DONE.

UNFORTUNATELY, THE METHODS OF TURNBACK WE'VE TRIED UP TO THIS POINT HAVE NOT WORKED WELL. UNDER OUR PRESENT LAW, BEFORE ANY PORTION OF A ROAD CAN BE DELETED FROM THE STATE SYSTEM, THE ORIGINAL ACT WHICH PLACED IT ON THE STATE NETWORK MUST BE AMENDED. THIS IS A TIME-CONSUMING AND UNTENABLE PROCEDURE. THERE HAVE BEEN INSTANCES IN WHICH BOTH THE DEPARTMENT AND A LOCAL JURISDICTION HAVE AGREED TO A ROAD TRANSFER ONLY TO HAVE THE LEGISLATION NOT ACTED UPON FOR VARIOUS REASONS. WE SIMPLY NEED A NEW PROCEDURE FOR ROAD TRANSFER.

WE SUPPORT A PROCESS OF HIGHWAY TRANSFER WHICH PERMITS THE DEPARTMENT TO TAKE THE INITIATIVE BY DESIGNATING ROADS FOR TRANSFER TO LOCAL JURISDICTIONS AND BY GIVING THOSE LOCAL JURISDICTIONS ALL THE INFORMATION NECESSARY TO DECIDE WHETHER OR NOT THEY CAN ACCEPT MILEAGE. THIS INFORMATION MUST INCLUDE A PRECISE IDENTIFICATION OF THE MILEAGE IN QUESTION AND A DETAILING OF THE AMOUNT OF WORK AND COSTS INVOLVED IN BRINGING THAT MILEAGE UP TO STANDARD.

IN THE EVENT THAT AGREEMENT IS NOT REACHED, THE PROCESS MUST PROVIDE A REVIEW MECHANISM, OR APPEALS PROCESS. IN THIS WAY, LOCAL JURISDICTIONS AND THE DEPARTMENT COULD RESOLVE DIFFERENCES.

SECOND, THE PROCESS MUST INCLUDE PROVISIONS FOR REHABILITATING THE ROADWAY MILEAGE IN QUESTION WHEN IT IS NOT UP TO STANDARD. WE BELIEVE THAT THIS REPAIR WORK CAN BE ACCOMPLISHED IN TWO WAYS. THE ROAD COULD BE REPAIRED BY DEPARTMENT FORCES PRIOR TO TRANSFER, OR IT COULD BE FIXED BY THE LOCAL MUNICIPALITY ON AN AGREED BASIS AFTER TRANSFER BUT WITH DEPARTMENT FUNDS. HOWEVER, REHABILITATION FUNDS MUST COME FROM NEW INCOME APPROPRIATED TO THE MOTOR LICENSE FUND.

THIRD, THE TURNBACK OF ROADS POSES THE RELATED PROBLEM OF BRIDGES ON THESE ROADS. IN SOME CIRCUMSTANCES, THESE BRIDGES COULD BE MORE EFFICIENTLY MAINTAINED BY THE STATE. IN OTHERS, THE MUNICIPALITY WOULD CLEARLY DO A BETTER AND CHEAPER JOB. WE DON'T KNOW OF ANY GENERAL RULE WHICH COULD COVER ALL THESE SPECIFIC CASES. RATHER THAN A BLANKET INCLUSION OR EXCLUSION OF BRIDGES, THIS FACET OF TURNBACK SHOULD BE PART OF THE NEGOTIATION PROCESS, WHICH I'LL DESCRIBE LATER.

FOURTH, BECAUSE THE TRANSFER PROCESS WILL INCREASE THE AMOUNT OF MILEAGE ON THE LOCAL ROAD NETWORK (CONCEIVABLY ADDING 12,000 MILES TO THE PRESENT 66,112 MILE SYSTEM), IT COULD REDUCE, BY AS MUCH AS 15 PERCENT, THE AMOUNT OF MONEY PRESENTLY AVAILABLE FOR THE STATE TO LOCAL JURISDICTIONS FOR LOCAL ROAD MAINTENANCE. TO OFFSET THAT POSSIBILITY, A FINANCING MECHANISM MUST BE INCLUDED IN A TRANSFER PROCESS WHEREBY THE PRESENT ALLOCATION OF STATE FUNDS FOR LOCAL ROAD MAINTENANCE WOULD BE INCREASED AS MILEAGE IS TRANSFERRED. IN THIS WAY, THE AMOUNT OF MONEY AVAILABLE TO LOCAL JURISDICTIONS FOR MAINTENANCE WOULD AT LEAST REMAIN CONSTANT ON A MILEAGE BASIS.

IN REVIEWING THE LEGISLATION PROPOSED ON THIS SUBJECT, AND WITH PARTICULAR RESPECT TO H.B. 527, WE OFFER SEVERAL AMENDMENTS FOR YOUR CONSIDERATION. THESE AMENDMENTS ARE TRANSMITTED SEPARATELY IN A FORM SUITABLE FOR USE IN AMENDING H.B. 527, BUT I WILL SUMMARIZE THE TOTAL PROCESS AS DESCRIBED IN THE PROPOSED AMENDED LEGISLATION.

WE PROPOSED THAT ANY ROAD TRANSFER FOLLOW THESE STEPS:

- 1) IDENTIFICATION OF ALL POSSIBLE TRANSFER ROADS BY THE DEPARTMENT;
- 2) NOTIFICATION OF THE IDENTIFICATION TO LOCAL JURISDICTIONS;
- 3) COMPILATION OF EXACT MILEAGE, COSTS AND OTHER PERTINENT DATA ON ALL ROADS, AND A SELECTION OF ACTUAL CANDIDATE ROADS FOR TRANSFER BASED ON THE DEPARTMENT'S FISCAL AND OTHER PROGRAM RESTRAINTS;
- 4) DESIGNATION AND NOTICE TO LOCAL JURISDICTION OF SPECIFIC ROADS AS CANDIDATES FOR TRANSFER.

5) NEGOTIATION BY THE DEPARTMENT AND THE LOCAL JURISDICTION AND THE REVIEW BOARD, BUT ONLY IF THERE IS NO AGREEMENT BETWEEN THE DEPARTMENT AND LOCAL JURISDICTIONS;

6) AGREEMENT ON WORK TO BE DONE AND ROADS TO BE TRANSFERRED; AND

7) EXECUTION OF WORK AND TRANSFER OF JURISDICTION.

WE PROPOSE THAT EACH MUNICIPALITY TO WHICH ROADS ARE TRANSFERRED BE ENTITLED TO ADDITIONAL FUNDS FOR THOSE ROADS. WE HAVE WORKED OUT A FORMULA FOR SUCH REIMBURSEMENT. MUNICIPALITIES WILL RECEIVE A COST-OF-TRANSFER PAYMENT OF \$3,000 PER MILE FOR THE FIRST TWO YEARS AFTER THE TRANSFER IS COMPLETE. THESE PAYMENTS WILL COME FROM NEW INCOME APPROPRIATED FOR THE MOTOR LICENSE FUND.

WE PROPOSED THAT A SEVEN-PERSON REVIEW BOARD BE CREATED TO SETTLE ANY DIFFERENCES WHICH MAY ARISE BETWEEN THE DEPARTMENT AND LOCAL JURISDICTIONS.

OVERALL, OUR PROPOSAL IS VERY CLOSE TO THE RECOMMENDATION MADE BY THE PENNSYLVANIA ECONOMY LEAGUE IN THEIR 1979 REPORT, "STUDY OF RETURN OF CERTAIN STATE HIGHWAYS TO LOCAL GOVERNMENTS."

FINALLY, WE PROPOSE A PROGRAM REVIEW MECHANISM. FIVE YEARS AFTER ENACTMENT AND EVERY FIVE YEARS THEREAFTER, THE EFFECTIVENESS OF THE ENTIRE ROAD TRANSFER PROGRAM SHOULD BE REVIEWED BY THE HOUSE AND SENATE TRANSPORTATION COMMITTEES AND RECOMMENDATIONS MADE.

LET ME CLOSE BY SAYING THAT ALL ROADS IN THE COMMONWEALTH DESERVE TO BE WELL-MAINTAINED. UNDER OUR PRESENT DIVISION OF RESPONSIBILITIES, THIS IDEAL CANNOT BE ADEQUATELY REALIZED. IF THE DEPARTMENT'S TRANSFER PROGRAM IS ENACTED, OUR CHANCE OF REACHING THE GOAL OF GOOD ROADS FOR ALL OF PENNSYLVANIA IS GREATLY IMPROVED.

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