

Progress Report: State-County Cooperative Agreements on Highway Problems

GEORGE M. FOSTER, Executive Director
Indiana State Highway Commission
Indianapolis

The most efficient operation of any segment of the highway system necessitates a cooperative integration of all of the segments of that system in all levels of government. This involves coordination and cooperation between governmental agencies and I am happy to say that the Indiana State Highway Commission policy in this regard is one which gives ample latitude to coordinate those matters that are essential to such efficiency.

Last year the board of directors, the executive secretary, and legal adviser to the County Commissioners Association of Indiana met with members of the Highway Commission for a discussion of certain important aspects of this coordination. They had in mind both the improvement and better understanding of relations between the State Highway Commission and the county commissions and the preparation of a manual for adoption and use by all county commissions in the interest of uniform procedures.

It should be kept in mind that the highway program has expanded from that which existed a few years ago to one that would have been difficult to comprehend even in the early 1940s. The 1956 Federal-aid Highway Act created the basis for the construction of the Interstate System—a fully limited access system of highways to be superimposed over the existing federal, state, and county systems. The insertion of the complete limited access requirements into this program brought about new problems of coordination and need of cooperation between local government and the State Highway Commission. It also brought about accentuated problems of construction, maintenance of traffic, haul roads, and other related matters.

Federal-aid to the states has been practiced since the first appropriations were made in 1921, and prior to that time (1916) the Bureau of Public Roads was established on a national basis for the purpose of assisting and advising the states in the development of a uniform system of highway transportation for the benefit of the national

economy. As a result, a close partnership has developed over the years between the federal government and the state highway departments. Among other things, this has resulted in the development of personnel experienced in the construction of highways and structures which cannot be found anywhere else in the world.

Federal-aid allocations to the states are made in specific amounts for specific highway systems and up until 1956 this included the Federal-Aid Primary System, the Federal-Aid Secondary System, and the provisions for certain urban connections within built-up areas to further extend both the primary and secondary road network.

Over 20 years ago the Congress provided for the use of a portion of the secondary funds in each state on the Secondary Road System of the counties, adopting at the same time certain regulations for the determination of the Federal-Aid Secondary County System and for the participation on the part of the federal government in the improvement of such a system. A section of the Indiana State Highway Commission was organized and set aside to provide the coordination of this system with the state highway system and it is reassuring to see the increased interest and use of federal-aid on the county systems that has developed. This has been particularly outstanding during the past five years in providing for the use of federal-aid for highway improvement on the county system.

The regulations of the federal government, through the Bureau of Public Roads, provide first, of course, that the state must have an adequate highway department, and second, that all contacts and relations between the state and the federal government must be carried on between the state highway department and the Bureau of Public Roads. This accounts for the fact that the State Highway Commission in Indiana must assume the responsibility for the proper use of federal-aid on the county system to the extent of working with the counties in developing the system, advising them as to the improvements to be undertaken, approving the plans and specifications, advertising the projects for bids, and contracting the work in the name of the State Highway Commission subject to prior agreements between the county commission and the State Highway Commission relative thereto. In other words, while the State Highway Commission does not, nor has it the legal right to, use highway funds allocated to the State Highway Commission for such work, it is held responsible for the satisfactory construction of all improvements that are undertaken under such a county federal-aid financing plan.

Our County Federal Aid Section stands ready to work with the county commissions in every possible way to assist them in developing

and obtaining the improvements on the county federal-aid system that they determine to be in the interests of the county and on which they must finance the cost on a 50-50 basis matched with federal-aid moneys.

PROBLEMS OF LIMITED ACCESS

With the tremendous increase in the use of the motor vehicle as a necessary part of our economy, the need for the control of access in the interest of safety and efficient highway operation became a necessity. As a result, the statutes of Indiana provide for the construction of controlled and limited access highways as determined by the State Highway Commission and approved by the Bureau of Public Roads wherever federal moneys are involved.

It was a natural step, therefore, that in the inauguration of a nationwide system of highways, as was accomplished in 1956 by the activation of the Interstate System and construction program, the requirement for complete limited access was made a part thereof. This, of course, involved many new locations not only in the interest of economy of construction but for the purpose of providing more direct routes for the long-haul traffic. The efficiency of operation of the toll roads throughout the country, I feel, had a great deal to do with the development of the design requirements for the Interstate System. Limitation of access meant that interchanges, wherein access to and from the system is provided, were a necessity; likewise the separation of grades with intersecting highways, not only local and county roads but with the state road system as well, was equally necessary. The cost of construction compared to the benefits to be derived made it essential that certain less important intersecting highways be closed. In closing such highways, connections for ingress and egress to adjacent property was of course mandatory, resulting in the need for certain service or frontage roads adjacent to the limited access facility. This then brought about the need for cooperation with local government and particularly with the county commissions in the proper coordination of a new aspect of the over-all integrated highway system.

In the preliminary discussions between the County Road Association and the State Highway Commission, four important points were explored:

1. The improvement of state-county relations in the location of the interstate routes, particularly the matter of road closures, frontage roads, separations between county roads, the interstate route, and the location of interchanges.
2. The problem of detouring traffic during construction operations where such detouring involved the use of county roads.

3. The problem of haul roads for materials needed in the construction of state roads whether they be on the Interstate System or on the other segments of the state road complex.
4. The problem of releasing existing state roads to local jurisdiction when their need as through routes had been supplanted by a new improvement or relocation, whether it be on either of the several federal-aid systems of the state or on state roads not in the federal system.

Dealing with these four points the Highway Commission has set out first to develop a close relationship with the county commissions regarding the effects on the county road system of the construction of limited access highways, whether they be on the Interstate System or on other segments of the highway system falling under the jurisdiction of the State Highway Commission. Preliminary meetings are arranged in each county after the reconnaissance has been completed, a route determined, and preliminary approval obtained from the Bureau of Public Roads for such project. At such a meeting the preliminary alignment and its effect upon the intersecting highways are discussed. Efforts are made to agree upon the roads that will be closed, those that will be separated, the location of the interchanges, where controlled access may be had to the new facility, and the need for frontage roads to accommodate local conditions created by the injection of the limited access facility into the area. This type of meeting is held prior to the holding of a public hearing as required by the Federal-Aid Highway Act and as desired by the State Highway Commission. Upon determination of these facilities a resolution is prepared for the approval of the county commission indicating their acceptance and coordination of these facilities with the county system.

Through its legal adviser the county commissioners organization has prepared a manual covering this particular feature. This manual has been accepted by the Highway Commission, subject to approval or revision on the part of the attorney general to whom this was subsequently referred. However, I am of the opinion that there should practically never be occasion for the several steps involved in this manual to become effective because I believe that a good job of cooperation between the State Highway Commission and the county commissions should eliminate any need for the major portion of the steps that have been outlined in this manual.

Two: This matter has to do with the detouring of traffic during construction operations.

It has been the policy of the Highway Commission for many years to try to reroute traffic over other state roads when a section of any state road has to be closed on account of a construction contract. However, in many instances this has involved rather extensive additional mileage. A great many people who are familiar with the particular area will use local roads, largely those under the jurisdiction of the county, instead of following the temporary rerouting on the state road system. This is done on the part of the traveler with the thought in mind of not only saving time but saving the cost of operation over the adverse mileage. As a result county roads in many instances have been required to bear the bulk of traffic that otherwise would have used the state road if it had not been closed. This in turn results in a rather large increase in traffic with the resulting accelerated wear and tear on the county road system, particularly when an average percentage of this traffic is truck traffic.

The county commissions have felt that under such circumstances the State Highway Commission should in some way compensate the county for this additional service since in many instances the county road was not designed and built for the volume and type of traffic that such a situation develops.

This situation has been freely discussed in consideration of the possibility of the State Highway Commission taking over certain county roads for maintenance during the period that the state road is closed. This would involve an understanding as to the condition of the road when it was taken over as a detour route and the matter of turning it back to the county in as good a shape as it was in before such traffic was placed upon it. Considerable study has been given to this situation although it has not yet been fully resolved. This is a matter which I think we can well afford to give further serious consideration and I hope that a cooperative arrangement can be made to be used particularly in those instances where the rerouting of traffic on the state road system involves considerable adverse distance entailing additional operating costs on the part of traffic and in many instances the dissatisfaction of the motorist.

Three: A somewhat parallel problem has arisen when a state road construction project is put under contract and the work is of such nature or location as to require the contractor to haul materials over the county road system. This is somewhat more complicated by the fact that the successful bidder on a project is required to supply all of the materials, including borrow excavation, needed for the construction of the new facility.

It has not appeared feasible to develop haul routes in advance of advertising the construction for bids as this practically necessitates that the department determine in advance the location of suitable borrow materials and acquire them as well as have a pretty good idea where the other manufactured materials are going to come from, the majority of which would be transported by truck. This includes such items as aggregates, cement, bituminous materials, steel reinforcing, necessary drainage pipe, etc., as well as certain items of his own equipment.

An effort was made last year to get the Bureau of Public Roads to participate in the maintenance of haul routes as a part of the cost of construction for those materials which were incorporated into the finished work. However, the Bureau of Public Roads, pursuant to a policy that has been in effect ever since the creation of the Bureau to the effect that federal moneys were not to be expended for maintenance, refused or at least postponed such a consideration. This then is a problem between the state and the county.

The only effective leverage that the county commissions now have is to post such routes for a very limited load and to patrol them accordingly. This causes the contractor to seek out the county commission to make arrangements whereby he can haul over certain roads to the extent that would normally be considered legal axle loading.

The counties in turn, under such circumstances, have required the contractor to post a bond to the effect that he would upon completion of the use of the road restore it to a condition equal to that existing when he first started to use it. This is basically where the difficulty arises for such a contingency. Experience has shown there is a wide difference in opinion on the part of counties as to what constitutes rehabilitation of a haul road to a condition equivalent to that which existed prior to the hauling. As a result, the contractor in preparing his bid must cushion it for an unknown condition regarding both the extent to which the county might want the road repaired and the extent that damage might occur, since he does not know the nature of the original construction.

In an effort to eliminate what sometimes is a rather tedious process, and in the interest of economy, the county commissions expressed the opinion that some method should be worked out wherein construction projects would bear the cost of such maintenance directly reimbursable by the state. Again this problem is being studied and is being given serious consideration, but up to this time we have not arrived at a solution which the commission feels they could present to the county

commissions for their consideration. I am satisfied, however, that this matter will receive further attention.

Four: In the improvement of the state road system and the construction of the interstate mileage a considerable amount of new alignment or relocation is in order. It is advantageous to locate the Interstate System on new alignment because of the heavy cost of right-of-way occasioned by existing improvements along a route that is now in operation. Also, increased demands of traffic, both passenger cars and trucks, have made it mandatory that improved alignment, both horizontal and vertical, be designed into new construction and even into rehabilitation and resurfacing of existing highways. This has made it necessary to set up certain minimum standards as to grades, curvature, and sight distance, in the interest of both operation and safety.

As a result of these improvements the State Highway Commission in many instances finds itself with a section of the state road system which has become at least partially obsolete for through traffic and is paralleled by a new improvement so closely that the retention of both the old and the new sections of highway in the state road system is not warranted. This then involves abandonment of the original sections as a state road.

The law provides that the State Highway Commission can by resolution abandon any highway or section thereof as a state road, in which instance it then reverts to local jurisdiction for control and operation. Such abandonment does not constitute a vacation of the right-of-way as this is a prerogative that is entirely in the hands of local government. However, it is not the intention or policy of the State Highway Commission to arbitrarily abandon a section of state road without first having reviewed the entire matter with local government.

Of course in those instances where local groups or commissions petition the Highway Commission, either formally or informally, for a road improvement involving relocation and the commission agrees upon the project, it is the policy that such agreement be predicated upon the local governmental agency's accepting the existing facility into their system and under their control when the new road is completed and opened.

It is the policy of the commission that prior to the consideration of a resolution to abandon any section of state road a department representative, usually the district engineer, goes over the section of road to be abandoned with representatives of the local government to determine the extent to which the road should be repaired. This does not mean betterments, but likewise it is not the intention of the commission to return a road to local jurisdiction in a condition requiring

immediate expenditure for repairs and reconditioning. This does not necessarily mean that every new road constructed by the State Highway Commission will have its counterpart returned to local government. In many instances both the existing facility and the new road are necessary to the movement of goods and people beyond the limits of community-to-community travel. Or perhaps the volume of traffic to be handled is such that both roads are essential to the convenience and safety of the traveling public.

However, it must be recognized that the state road system, comprising some 11,000 miles of highways or about 10 per cent of the total public road system in Indiana, carries over 65 per cent of the total traffic on a vehicle-mile basis.

There are in the system certain sections of road that contribute very little to the over-all transportation requirements of the state and are almost entirely for local service on a farm-to-market or town-to-town basis with a relatively small volume of traffic. Such highways are strictly local in character and really belong under the jurisdiction of local government. It is my observation that the above policy has been accepted favorably by the county commissions and has provided a much more cooperative atmosphere in meeting the over-all highway transportation obligations to the state.

In closing I would like to point out that under the present organizational framework and policies of the Indiana State Highway Commission, local government is encouraged to express itself to the commission, preferably through the office of the executive director or the chief engineer, so that every effort can be made in the proper programming of new improvements and in establishing the priorities for undertaking these improvements as finances will permit.

The State Highway Commission has a tremendous backlog of highway improvement needs that must be undertaken on the basis of a long-range program; neither finances nor other facilities will permit making all the improvements that are vitally important to the highway system within a relatively short period of time. It is therefore essential that the State Highway Commission use all of the tools available to it, including local government council, sufficiency ratings, continuity of routes, and other important considerations in the determination of routes and the order in which these improvements are to be undertaken. In so doing we must not lose sight of the fact that the state has a tremendous investment in its existing system and the maintenance of this system to adequate standards, and this investment must have top priority.