

# Indiana State Highway Report 1972-1973

RICHARD A. BOEHNING

*Chairman*

Indiana State Highway Commission

## GOALS AND PROBLEMS OF THE ADMINISTRATION

This is the first opportunity I have had as chairman of the Indiana State Highway Commission to appear before a gathering of city and county highway officials. Therefore, I think it appropriate at this time to discuss with you the goals of this administration, as well as some of our mutual problems.

### *Governor and Commissioners Will Listen to Problems*

One of the primary objectives of Governor Bowen and of the Indiana State Highway Commission is to listen, to listen to the problems of local communities and attempt to resolve them, to work together toward the solution because this is our collective responsibility to the citizens of Indiana as public officials. Remember, "He hears you." Our intention is to listen, then act.

With less than two months into the new administration, the Indiana State Highway Commission has already held numerous meetings with many city and county officials throughout Indiana, as well as Chamber of Commerce representatives and other civic groups regarding mutual traffic problems and future highway plans. It is our opinion, that when specific highway problems exist, whether they be on state highways or on city and county roads and streets, that they can best be resolved if we first sit together at one table and discuss the situation, the alternatives available, and how the responsibility is or can be divided to resolve the problem. To a large extent, we have found that the basic problem which has existed to date has merely been a matter of communications.

### *No Federal Funds Presently Available*

Indiana is running into numerous traffic hazards and road blocks in the financing of new highway construction. We are looking at a very grim picture. Literally every future highway project in the state of Indiana which would involve federal funding is in jeopardy. Since

Congress failed to pass continuing highway legislation last fall, at least 40 of the 50 states, including Indiana, now have no federal highway funds available for primary and secondary road construction. Congress is now conducting hearings on proposed 1973 federal aid highway legislation.

*Opposed to Diversion of Highway Trust Fund Money*

Governor Bowen and the Indiana State Highway Commission have advised Indiana's congressional delegation of the seriousness of the current situation and are urging them to seek rapid passage of new legislation. We need your help. We are opposed to any diversion of Federal Highway Trust Fund monies to nonhighway related transportation in the new legislation. We have taken this position because the need for new and improved highways in Indiana and the nation are great and the present combined federal-state highway financing falls short of meeting these needs.

Indiana is already a donor state. Hoosier motorists now contribute nearly twice as much money in federal motor fuel taxes into the Federal Highway Trust Fund as is returned to Indiana for the improvement and construction of highways. Any diversion of these funds would worsen the situation by draining even more motor fuel taxes away from Indiana.

While we recognize the magnitude of other transportation financing needs, sources of revenue should be found other than from the Federal Highway Trust Fund, which is funded solely by highway users for highway improvements. Because of the estimated tens of billions of dollars required annually to provide and subsidize the operation of mass transit facilities nation wide, a diversion of 500 million to two billion dollars annually from the Federal Highway Trust Fund as is being proposed would make absolutely no dent into those needs, but at the same time, would drastically reduce the ability of each state, including Indiana, to finance much needed highway safety improvements which would affect hundreds of thousands of motorists daily.

## INDIANA HIGHWAY LEGISLATION

One of our present tasks is working with the Indiana General Assembly on pending legislation. The legislature is considering a number of bills of interest to the highway program. While several bills have been introduced that would increase highway revenues, none have been considered by the committees to which they are assigned, and thus it does not appear there will be any changes in highway revenues.

### *No Change in Highway Funds*

The only significant money changes appear to be in the budgets for agencies which derive their funds from highway revenues. The indications are that serious consideration is being given to partial financing of the Indiana State Police from the general fund. This release of motor vehicle highway account funds would provide additional funds for the highway program. However, increased operating cost for other agencies financed from highway user revenues will no doubt be nearly equal to any gains. It appears that state funds for the highway program will remain at near the present level.

### *Loss of Governmental Immunity*

The loss of governmental immunity from suits for damages has been one of the greatest concerns of state and local highway departments in recent years. The bulk of these suits against the state and local governments have concerned highways.

### *Bill for New Court of Claims*

Two bills have been introduced in the General Assembly which deals with this problem. One bill (SB 130) would establish a new court of claims which would handle such claims against governmental agencies. However, there has been no action on this bill.

### *Bill for Setting Limit on Claims Against State*

The other bill dealing with this problem which has been passed by the Senate and is now being considered by the House, makes provisions for how and when suits may be brought against the state and its political sub-divisions, together with their employees, and sets out the manner in which the suit should be brought. It sets a limit on the amount of recovery and would certainly benefit the "wide open" liability problem which now exists.

### *New Act on Right Turns*

Two bills that show indication of moving are in the area of traffic control. The House of Representatives has passed a bill which changes the conditions for right turns at red signals. The present law provides that a motorist may make a right turn at a red signal when the agency responsible has erected signs permitting such turns. The new act will allow right turns at red signals unless it is prohibited by signs.

### *Bill for New Highway Traffic Laws*

The Senate Roads and Transportation Committee has recommended a bill which will establish a minimum speed limit of 45 mph on inter-

state highways. This bill also requires traffic traveling less than the maximum speed limits to travel in the right lanes of interstate highways, and limits trucks to the use of the right lanes of interstate highways except to pass and for emergencies.

#### *State Highway Must Repair Roads Before Abandoning*

Probably the most troublesome area between the Indiana State Highway Commission and local road and street departments has been the abandonment of state highways to local jurisdiction. Senate Bill 221 provides that the Indiana State Highway Commission shall not abandon any highway until it is brought to a condition to meet the minimum engineering standards for the class of road or street established by the Arterial Road and Street Board. These standards will be required insofar as possible within the existing right-of-way or additional right-of-way provided by the local government.

### MORE MAINTENANCE AND HIGHWAY SAFETY IMPROVEMENTS

#### *More Resurfacing and Better Groomed Highways*

Getting back to our internal highway program, one of the most important efforts of the highway commission during this administration will be to maintain, in a better condition, the existing highways we now have. We have an investment of millions of dollars in roadways that must be protected. Our primary goal in this area is to substantially increase our resurfacing program throughout the state of Indiana. In addition, the State Highway Commission is going to try to become better neighbors to its adjoining property owners throughout the state. We will make every effort to care for highway grounds and right-of-way, to keep them as well groomed and litter free as if it were our own home. In short, we are a public agency and as public employees, we must strive to be more considerate, helpful, courteous and understanding in our every day activities.

#### *Increased Highway Safety*

Increased highway safety is one of the primary motives for highway improvements. While the highway commission puts millions of dollars each month into the construction and improvement of highways in Indiana, it would be helpful for safety's sake, if motorists would put more sense into their driving.

#### *Diversion of Highway Funds Hurts Safety*

It is the highway safety factor which makes the diversion issue even more senseless. Fifty thousand persons die in highway accidents

annually. When these billions and billions of dollars are diverted away from much needed highway safety improvements to mass transit, what then are we to do? Are we to hope that next year these 50,000 people will ride the bus or commute by subways? Diversion would seem to make more sense if it would result in lower traffic volumes. But we know for a fact that highway travel is not going to decline nor is it even going to remain stagnant. Over the next 10 to 20 years, automotive travel will increase substantially.

## MASS TRANSIT AND HIGHWAY TRUST FUND

### *Mass Transit Problems*

The theory behind mass transit appears sound but in reality will it meet the demands of today's society? To be justified and to survive, mass transit requires a substantial number of people in one location who wish to move to a similar location at the same time.

Unfortunately for mass transit, we are sprawled out in the cities throughout America to such an extent today that even a bus going through a densely populated area cannot find enough people going in the same general direction anywhere near the same time to even pay for the bus expenses. Ignoring this fact, legislation now pending in Congress proposes to buy us a new bus and supply us the funds to operate it regardless of the fact that no one wants to ride it. We would have a solution to the problem if everyone worked at or nearby a school. We could simply double the number of school buses and pick up both the school children and working parents at the same time.

The point, however, is clear. I don't mean to be facetious, but no means of mass transit is going to be justified until enough people living in the same area are going in the same direction at the same time. Whenever or wherever that situation presents itself, mass transit will be justified and feasible both practically and economically.

### *Public Demands Highways*

Advocates of mass transit say that highway officials and the highway industry are opposed to diversion because we want to pave over the country contrary to the wishes of interested citizens. Well this just isn't true. The highway commission isn't trying to push any project on anyone, ask South Bend, Plymouth, Rochester, Peru Kokomo, or anyone living on U.S. 31 if we are trying to push the dual-laning of U.S. 31 on them. They demanded that we do it. What about the people along U.S. 41 on the west and S.R. 37 to the south. Is the State Highway Commission ramming those four-lane improve-

ments down their throats? To the contrary, they have been at our throats for years demanding that these improvements be made. The same can be said of any highway improvement. If it's not wanted, it is not done. There are far too many demands on the limited available highway construction funds to be spending them on unwanted projects.

This brings me to another point. That is—comments about the highway lobby. In my 58 days as chairman of the Indiana State Highway Commission, I can tell you who I have discovered is the highway lobby. It's the South Bend people who can't get into South Bend, around South Bend; it's the people of Evansville who can't get out of Evansville; it's the White County school children who have to walk across a bridge to get to school because the bridge is unsafe for a loaded school bus; it's the residents of all our 92 counties, from rural to densely populated metropolitan areas, who all think they are the step-children of the highway commission because they are not getting their share.

#### *Some Senators and Congressmen for Use of Highway Money*

Some senators and congressmen through their legislation are telling the motorists of Indiana, "You don't need road and street improvements. You need mass transit, subways and busses." At the same time, they're saying, "Please continue to drive your car because we need the road use tax revenues to pay for these other things. You people in Indiana continue to buy gas and drive your cars so we can pay for another five billion dollar finger of the New York subway system, or the eight billion dollar Bay Area Transit System in San Francisco." Do you realize that eight billion dollars would pay the entire cost of financing Indiana's state highways needs for the next 20 years, through 1990, and still leave nearly one billion dollars in the bank?

#### *No Mass Transit Studies Available*

Before the Federal Highway Trust Fund and the interstate program was approved by Congress in 1957, it had been thoroughly researched and planned for more than 11 years. Before any pavement could be laid, the road or improvement first had to be feasibly justified on the basis of traffic volume. Numerous public hearings had to be held. With the current mass transit proposals, there has been no detailed research, there is no program and their only plan is to spend, spend, spend.

#### *Subsidies for Mass Transit Riders—None for your Car*

Current proposals would permit the use of highway trust funds for the purchase of buses and rolling stock for railroads and subways,

as well as to subsidize their operation. It would take highway users' money to lessen the cost for the travel of mass transit users. But I ask you, "Who paid for your car, who paid for your truck, and who subsidizes costs of operating your car?" You do, of course.

### *Balanced Transportation Systems*

In about every speech I have heard advocating diversion for mass transit, it's been said that we need a balanced transportation program. But no one can define just exactly what that is other than to say, "It's different for different areas" or "One which utilizes all modes of transportation." Communities are asked, even required, to establish a total transportation plan which in reality cannot be developed because of completion of the interstate, which has substantial impact on travel patterns, is so uncertain.

### *Congress Not Responsive*

In my opinion, this is another example of Congress's lack of responsiveness, a condition which has grown in recent years. We have Congress passing multi-programs without any direction, and with the knowledge that they can't possibly be funded. There are programs without appropriations, appropriations without authorizations and authorizations without planning.

### *Mass Transit Should Be Handled as Road Problem*

Mass transit is not a federal problem. It is not an interstate problem. It is a local problem. The question of how a worker commutes from his home to his office or to the nearby market, rapidly and economically, should not be an issue before Congress. If it is the desire of Congress to regain its authority, to regain its power, then, in my opinion, it must become more responsible and responsive to the demands and needs of the people of this country and this state as those of us who are the closest to the people, at the state and local level, must do.

### *Highway People Losing Battle*

There is no doubt we are on the underdog side of this issue in Congress today. We are being whipped and defeated badly. But the battle is not over. Therefore, I urge you and urge the people of this state, particularly the motorist and those who have lost loved ones or seen them injured or maimed in highway accidents, to write their congressman and to write our senators requesting that they support us in this fight. We are thankful that the majority of Indiana's con-

gressional delegation supports us on this issue. Senator Bayh, however, is fighting against Hoosier interests. He needs to be reminded. This is not a political battle. It is a matter of life and death on Hoosier highways.

*Indiana Must Recover Federal Money*

Perhaps I have dwelled too long on this subject of diversion of funds. I was, however, asked to present to this Road School the State Highway Report 1972-1973. The 1973 record of the Indiana State Highway Commission rests on the question. "How much of a donor state will Indiana be?" The answer to that question determines the success or failure of our Indiana highway program. Construction, maintenance, highway safety all are important but all are dependent upon satisfactory recovery of our federal highway dollar.