



## **TEA-21 - Transportation Equity Act for the 21st Century** ***Moving Americans into the 21st Century***

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### ***Listening to America***

#### **Report on the U.S. Department of Transportation's Outreach on Implementation of the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21)**

**Report prepared under the direction of the Office of the Associate Deputy Secretary & Director, Office of  
Intermodalism**

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### **Listening to America: Implementing TEA-21**

#### **Introduction and Overview**

The Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21) continues the National transportation policy directions established by the ISTEA, and also makes important refinements and enhancements that reflect input from a wide diversity of stakeholders during the USDOT's 1996 National Outreach on ISTEA Reauthorization. TEA-21 contains important new program initiatives, makes changes to State and metropolitan planning processes, augments the portfolio of innovative financing strategies, and strengthens safety programs across the Department of Transportation.

"If ISTEA was a sea change,  
then TEA-21 is a validation of  
ISTEA's changes."

Richard Martinez, Bureau  
Chief, Policy & Planning,  
Connecticut DOT, New York  
Forum

This report presents the results of the Department's 1998 Outreach on the Implementation of TEA-21. Throughout the course of that outreach effort, in venues all across America, we heard from our State and local partners and from stakeholders in America's transportation system. We heard and learned a lot about how TEA-21 should be implemented -- to invest in America's future, to rebuild the Nation's transportation infrastructure, to improve safety, and to protect the environment and improve the quality of life in cities and towns. And in all of these areas, we heard four consistent, overarching themes:

- **Investment in Transportation Is an Investment in America's Future:** TEA-21's guaranteed funding levels for highways and transit and its 90.5% Minimum Guarantee to States under all major funding categories are widely viewed as critical. They will facilitate better long-term planning and better overall management of State and regional transportation investment strategies.

"Investment in infrastructure  
is now recognized as vital to

"all walks of life. Through TEA-21 we have the opportunity to positively affect the lives of all Americans."

Congressman Bud Shuster,  
Chairman, Committee on  
Transportation and  
Infrastructure, Harrisburg  
Forum

More fundamentally, TEA-21's record funding levels will make possible the investments that are essential to sustaining our economy, to ensuring our quality of life, and to providing opportunity for all Americans in the 21<sup>st</sup> century.

- **Flexibility is Key to Tapping the Full Potential of TEA-21:** Across the board, we heard about the need for *flexibility*. This was expressed in numerous ways, including:
  - A preference for guidance rather than rules, and rules only when required by statute;
  - The observation that "one size doesn't fit all" and the need for flexibility when it comes to State and local relationships, partnering arrangements with the private sector, streamlining of environmental requirements, and compliance with safety requirements; and, 1000
  - An enthusiasm for incentives rather than sanctions in reaching safety objectives.

"Local involvement and cooperation is needed and folks need to work together as partners. We need flexibility to allow for differences in urban and rural states."

Sam Bonasso, Secretary,  
West Virginia DOT, Harrisburg  
Forum

We also heard some cautionary notes about flexibility: that streamlining of *process* should not lead to watering down of *objectives* and that there remains a Federal role in protecting the National interest and in ensuring full participation and fair treatment of all the partners and stakeholders in the Nation's transportation system.

- **Partnerships Hold the Key to Success:** During the outreach, we heard how, under ISTEA, transportation partnerships have been formed all across America, and how they involve both traditional transportation "players" and other groups and individuals who are relative newcomers to the arena. These partnerships, both public-public and public private, have discovered new and innovative ways to address diverse transportation issues, ranging from freight movement, to safety, to bicycle and pedestrian mobility. We were told how the partners have brought new perspectives and new energy to the transportation planning and decision-making process, and have organized to address a variety of issues, such as environmental quality, economic development, and the link between transportation and other local, regional or State policy objectives. Throughout America's multi-modal and intermodal transportation system, *partnerships* are seen as being critically important to better investment decisions, to funding strategies, to project delivery, and to linking transportation to economic and quality of life goals.
- **Whether It's Process or Projects, Focus Needs to be on Outcomes:** ISTEA caused people to think harder about the *outcomes* of transportation investment and policy choices on State and regional economies, on the environment, and on the quality of life in our Nation's cities and towns.

"Conversations about transportation are the most compelling discussions we have about economic development and quality of life."

Mayor John Zisa, City of  
Hackensack, New Jersey,  
New York Forum

During the TEA-21 implementation outreach, we continually heard about the importance of keeping this focus on the *why* of transportation. Whether it's creating better communities, sustaining the Nation's economy or providing access to opportunity, we were told that these *underlying public policy objectives* need to be at the center of decision-making. With regard to the planning process, we were told that what matters is the *quality* of the decisions which result from that process; i.e., how well do our transportation policies and investments support basic policy objectives? As to environmental streamlining, we were advised that protecting our natural and built environments remains the goal and should not be watered down. And we were forcefully reminded that *safety* is one of transportation's essential bottom lines, and that we must be relentless in reducing fatalities and injuries on our transportation systems.

"TEA-21 takes us beyond the Interstate era, beyond the ISTEA era, to a new era, with new vigor for transportation for America."

Congressman James L.  
Oberstar, Ranking Minority  
Member, Committee on  
Transportation and  
Infrastructure, Minnesota  
Forum

In short, TEA-21 continues the journey that began when the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 broke important new ground in how America's States and metropolitan regions approach transportation planning and investment decisions.

The hallmarks of the ISTEA may be found in its "Declaration of Policy" (§2), the very first paragraph of which states:

"It is the policy of the United States to develop a National Intermodal Transportation System that is economically efficient, environmentally sound, provides the foundation for the Nation to compete in the global economy, and will move people and goods in an energy efficient manner."

**Continuity and connectivity** are two fundamental concepts inherent in the word *intermodalism*; they are embodied in the *systems approach* to transportation that is at the heart of the ISTEA policy vision. We speak of a *continuous* transportation system wherein people and goods move efficiently and safely. When that movement involves more than one transportation mode, we speak of seamless intermodal *connections*.

Our journey that began with ISTEA, and now continues into the 21<sup>st</sup> century with TEA-21, is likewise **continuous** and **connected**:

- It is **continuous** in the sense that TEA-21 preserves and builds upon ISTEA's vision; and,
- It is **connected** in the sense that transportation policy and investment decision-making in America is now a *de facto* partnership of public and private stakeholders at every level.

Soon after the passage of ISTEA, the U.S. Department of Transportation began reaching out as never before to its State and local partners; and, as a result of the Department's *1996 Outreach on ISTEA Reauthorization*, the vast majority of our customers' ideas were incorporated in TEA-21. During the 1996 outreach, we heard about the importance of transportation to economic development and job creation, and to America's competitiveness in international markets. We heard about the importance of fiscal restraint and responsibility, and of investing our transportation dollars to get the greatest return. We heard about a new spirit of partnership, and the need for flexibility in making transportation choices. And we heard how the ISTEA has caused people to focus on the *outcomes* of those choices on State and regional economies, on the environment, and on the quality of life in our Nation's cities and towns.

And through it all, we heard one clear and consistent message: ISTEA works: to make 21st Century America a better place for Americans to work, to grow their businesses, to live, and to raise their families. We also heard that, as always, there were opportunities for improvement, but we were urged not to turn back the clock or lose sight of what ISTEA was doing for America. In one memorable phrase, "Tune it, don't toss it."

During the 1996 outreach effort, we heard a lot, but we also *learned* a lot. And one of the most important lessons we learned was the value of the outreach itself, the value of *listening to America* as we prepared our reauthorization proposal. And so, after the President signed TEA-21 on June 9, 1998, DOT Secretary Rodney Slater directed that we begin the process again, to reach out to our partners and customers, and to benefit from their ideas on how TEA-21 can best be implemented. That effort involved all the modal agencies and included 12 Regional Forums and over 50 focus groups and workshops. Through it all, we heard from over 3,000 people: members of Congress; governors, mayors and other elected officials; transportation practitioners at all levels; business people and organized labor; community activists and environmentalists; shippers and transporters of freight; and our ultimate customer -- the American people.

This report attempts to provide a summary of what we've heard during our *Outreach on TEA-21 Implementation*. It is a distillation, a synthesis of ideas and recommendations offered by a remarkable diversity of people. The ideas offered provide valuable insights to the Department in its on-going effort to make TEA-21 the best that it can be, helping not only the Department but our partners as well to create and sustain the Nation's transportation systems for the 21<sup>st</sup> century.

## How This Report Is Organized

This Report is divided into two principle parts:

- To provide historical context, Part 1 begins by reviewing the cornerstone principles of the ISTEA, which opened a new era for transportation in America. Then it looks at our 1996 outreach effort, and how our partners' ideas helped to shape TEA-21. Finally, it shows how ISTEA, TEA-21, and the USDOT's Strategic Plan are of a piece, and how they form a *continuous* and *connected* vision of the Nation's transportation system in the 21<sup>st</sup> century.
- Part 2 summarizes the results of the TEA-21 Implementation Outreach Effort. It is divided into four subsections, each one corresponding to one of the ISTEA's cornerstone principles, to key goals of the Department's Strategic Plan, and to major TEA-21 themes.

It would be impossible for this Report to include every issue raised and every opinion offered. Some issues were unique to a particular area, while others were beyond TEA-21's purview. We listened carefully to every witness, and in general only those views that were shared by a significant number of people are reflected in this Report. However, recognizing that important *insight* can sometimes come from a single individual, some ideas that were not widely offered are also included. This Report, then, is a concise but comprehensive overview of what we heard America say about issues involved in TEA-21 implementation.

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## PART 1

### ISTEA, TEA-21 & USDOT'S STRATEGIC PLAN:

## A CONTINUOUS AND CONNECTED VISION

*In the beginning...*

### The Policy Cornerstones of the ISTEA

The ISTEA ushered in a new era of how America goes about creating its transportation future. Since 1956, construction of the Interstate System had been the centerpiece of National transportation policy. By 1991, that critically important mission -- of connecting America and providing the core transportation infrastructure needed to sustain and promote interstate commerce and national economic prosperity -- was largely accomplished. By then, transportation decision-makers, practitioners and stakeholders were calling for a more diversified, multi-modal and intermodal approach. And *in* 1991, Congress heard that call in fashioning the visionary ISTEA legislation. ISTEA's central elements -- strategic infrastructure investment, intermodalism, flexibility, intergovernmental partnership, a strong commitment to safety and the environment, and an inclusive decision-making process -- provided the platform from which innumerable policies, programs and projects have been launched by our State and local partners.

The ISTEA was built on four policy cornerstones:

- ***Economic Development and Competitiveness in Global Markets:*** From its statement of National policy, to its targeting of funds to the National Highway System, to its advancement of American leadership in transportation technology, to its emphases on fiscal responsibility and better, more cost-effective decisions, ISTEA was designed to support and enhance America's economic leadership and prosperity. *Competitiveness, prosperity & jobs:* these comprise the ISTEA's first cornerstone.
- ***Maximizing System Performance and Return on Investment:*** The "E" in ISTEA is efficiency -- through better decisions and investments, through innovative financing, through deployment of new technologies, and through a new emphasis on performance: *efficiency* is ISTEA's second cornerstone.
- ***Partnerships and Flexibility in Making Transportation Choices:*** ISTEA empowered State and local governments by shifting decision-making authority and flexibility to them, and by enabling them to make sound investment choices. ISTEA also promoted partnerships through diverse means such as a more inclusive planning process and innovative financing strategies that attracted private sector resources. *Partnerships, flexibility and better investment choices:* these are ISTEA's third cornerstone.
- ***Focusing on Outcomes for People and Communities:*** ISTEA focused on transportation's bottom line: making America a better place to live, to raise a family, to recreate, and to work and do business. It emphasized how transportation policy and investment affect safety, the quality and sustainability of communities, and the environment. This *focus on outcomes* is ISTEA's fourth cornerstone.

*Listening to Our Customers...*

### 1996 DOT National Reauthorization Outreach

In a series of 13 Regional Forums, plus over 100 focus groups in more than 40 States held by each surface modal administration, the 1996 ISTEA reauthorization outreach effort provided invaluable ideas which were vital in shaping the Clinton Administration's ISTEA reauthorization proposal. This effort provided an opportunity to benefit from the insights of the stakeholders in the Nation's transportation system.

"In much of the discussion about ISTEA, a point that is sometimes overlooked is that ISTEA works. With all of its apparent complexities, during its short five-year duration, ISTEA has helped improve

the transportation  
infrastructure."

Howard Maier, Executive  
Director, Northeast Ohio  
Areawide Coordinating  
Agency, St. Louis Forum  
(1996)

During the 1996 outreach, we were told time and time again that ISTEA's four cornerstones provide the rock solid base for shaping America's transportation policies and investments in the 21<sup>st</sup> century. We were also told that ISTEA was still in some respects a work-in-progress, that there was still room for improvement. The Clinton Administration and Congress listened, and designed TEA-21 to preserve ISTEA's vision and make warranted improvements. USDOT listened as well, and developed a Strategic Plan whose core objectives track closely with ISTEA and TEA-21.

#### *Continuity and Connections...*

#### **The DOT Strategic Plan**

In its vision, mission and values, the USDOT's 1997 -- 2002 Strategic Plan continues along ISTEA's road, and the Plan's goals track closely with the ISTEA's cornerstones and TEA-21's overarching themes. As set forth in the Strategic Plan, USDOT's mission is to:

"Serve the United States by ensuring a fast, safe, efficient, accessible and convenient transportation system that meets our vital national interests and enhances the quality of life of the American people, today and into the future."

The values articulated in the Plan -- including its focus on safety and quality of life and the commitment to listen to and learn from our customers -- resonate well within the ISTEA/TEA-21 framework. And so do the Plan's *strategic goals*:

- **Safety:** Promote the public health and safety by working toward the elimination of transportation-related deaths, injuries, and property damage.
- **Mobility:** Shape America's future by ensuring a transportation system that is accessible, integrated and efficient, and offers flexibility of choices.
- **Economic Growth and Trade:** Advance America's economic growth and competitiveness domestically and internationally through efficient and flexible transportation.
- **Human and Natural Environment:** Protect and enhance communities and the natural environment affected by transportation.
- **National Security:** Advance the nation's vital security interests in support of national strategies such as the National Security Strategy and National Drug Control Strategy by ensuring that the transportation system is secure and available for defense mobility and that our borders are safe from illegal intrusion.

USDOT Secretary Rodney E. Slater, in unveiling the Plan, stated that "it reflects the vision I have long held: that transportation is about more than concrete, asphalt, and steel. It is about providing opportunity for all Americans." This commitment to *people* is, in the final analysis, what ISTEA and TEA-21 are all about.

#### *The Journey Continues...*

#### **Listening to America: Implementing TEA-21**

With our TEA-21 implementation outreach effort complete, we at USDOT are already working with our State and local partners to lead the way to transportation excellence in the 21<sup>st</sup> century. Our 1996 Outreach on ISTEA Reauthorization provided invaluable insights and helped shape the Clinton Administration's reauthorization. In 1999, the job of implementing TEA-21, and of helping to shape America's transportation system in the decades to come, is made easier by the advice offered by our partners and stakeholders in 1998. In the coming months and years, the results of this outreach effort will continue to help guide both our thinking and our actions. In effect, it becomes part of the bedrock upon which our national transportation partnership is built. The process of implementing TEA-21 will not always be easy, and there will inevitably be differing views on specific issues. But there is no doubt that there is consensus that America, poised on the verge of the 21st Century, will be better able to meet its mobility, economic and environmental challenges because of ISTEA and TEA-21.

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## PART 2

### RESULTS OF THE NATIONAL OUTREACH ON TEA-21 IMPLEMENTATION

#### Invest in America's Transportation System and in Mobility for All Americans

##### ISTEA

ISTEA emphasized improving the efficiency of the transportation system through: better decisions and investments; innovative financing; deployment of new technologies that improve system effectiveness; an emphasis on performance and outcomes for people and communities.

##### TEA-21

TEA-21 continues ISTEA's investment in both the transportation system and in people. TEA-21 ensures a guaranteed level of Federal funds through 2003 for highways and transit. TEA-21 also guarantees that each State will receive a minimum of 90.5 percent of the amount each State contributes to the Highway Trust Fund. In addition to guaranteed investment levels, TEA-21 includes special programs to ensure mobility and access to jobs, health care, and recreational activities for all Americans.

#### Support for TEA-21 Policy Objectives

During the listening sessions we heard unanimous support for TEA-21 funding levels, and for the Minimum Guarantees to States in particular. We learned more about the depth of support for the State Infrastructure Bank program and received considerable input on the new Transportation Infrastructure Finance and Innovation Act (TIFIA) program. The Access to Jobs/Reverse Commute programs were embraced as absolutely essential to the mobility and economic well-being of low income people and the newly employed. New guidance and excellent examples of best practices in this area were presented at a special session organized by the Federal Transit Administration. Finally, the need for Federal leadership in transportation research was noted, and concern was expressed about USDOT not having the financial resources to support essential research activities.

#### Minimum Guarantees

The Minimum Guarantee was hailed at all of the listening sessions as one of the most important features of TEA-21. Numerous speakers and State DOTs in particular noted that the combination of guaranteed annual funding levels and Minimum Guarantees for each State will facilitate better long term planning, more certainty in the availability of funds, and better overall management of the transportation investment programs of States and MPOs.

"TEA-21 is responsive to recommendations made by States: it provides more money without a tax increase and improves equity and

distribution funding."

James Atwell, Assistant  
Commissioner for Finance,  
Virginia DOT, Harrisburg  
Forum

## Innovative Finance

TEA-21 also facilitates the attraction of private capital to transportation investments. The Transportation Infrastructure Finance and Innovation Act (TIFIA) creates a mechanism through which DOT can provide credit assistance on flexible terms directly to public-private sponsors of major surface transportation projects to assist them in gaining access to capital markets. During the listening sessions, we heard unanimous support for the TIFIA program and requests for the expeditious release of implementing guidance and policies.

"TIFIA will stretch limited transportation funds for large, nationally significant transportation infrastructure projects. \$500 million in TEA-21 will leverage \$10.5 billion in additional investment."

John Chafee, U.S. Senator  
from Rhode Island, Chair,  
Committee on Environment  
and Public Works, Providence  
Forum

State Infrastructure Banks (SIBs) were also widely supported. Many State DOT representatives registered their disappointment that the SIB program under TEA-21 is limited to only four States. Several States indicated that they had set up SIBs under the pilot program established in the National Highway System Designation Act and now want to capitalize their banks with Federal-aid funds authorized through TEA-21. State DOT representatives indicated their intention to work with DOT and Congress toward expanding the SIB program to all States. Several speakers expressed concern about the provision that requires that repayments to SIBs be treated as Title 23 funds and thus, subject to all Title 23 Federal requirements.

## Access to Jobs/Reverse Commute Programs

The Access to Jobs/Reverse Commute Programs has two objectives: 1) to develop transportation services designed to transport welfare recipients and low-income individuals to and from jobs, and 2) to develop transportation services for residents of urban centers and rural areas to access suburban employment opportunities.

"The challenges people face in order to get to work need to be acknowledged."

Roz Staples-Streeter,  
Manager Bridges to Work,  
St. Louis, Missouri

"It's the clock that counts to the customer. Cutting travel time effectively increases hourly wage rates".

John Plunkett, President,



Suburban JobLink, Chicago,  
Illinois, Chicago Forum

We heard at a special listening session on the Access to Jobs Program that transit providers need flexibility to ensure that the goals of the program are met. Participants advocated that transit operators adopt a management philosophy centered around the concept of *mobility management* incorporating bus, rail, paratransit and ridesharing services.

"TEA-21 goes beyond the rhetoric to meet peoples' mobility needs. We're going beyond the mainstream and designing programs to benefit individuals."

Rep. Danny Davis, U.S.  
Congressman, Illinois,  
Chicago Forum

In addition, participants cited the need for better coordination of transit with other federally funded social service programs such as those operated by the Departments of Health and Human Services and Housing and Urban Development. Finally, participants called for the development of training programs to show how to coordinate the many Federal programs with a common goal of better service delivery to the traveling public.

### Research Programs

Participants at several of the listening sessions noted the importance of transportation research and the need for the DOT to play a critical role in the coordination and dissemination of research. It was stated that interdisciplinary research could yield substantial benefits in areas such as the impacts of the aging population on transportation and how technology can be deployed to target end users.

"....Research program cuts are wrong. We must reexamine this issue at USDOT and join others to get this issue reconsidered."

Bill Ankner, Director, Rhode  
Island DOT, Providence  
Forum

Speakers at many of the listening sessions were concerned with the research program funding cuts at DOT under TEA-21. Participants indicated that DOT needs to be the primary champion in transportation research and that some corrective action is needed with respect to ensuring adequate funding for DOT to carry out and champion transportation research.

### Rebuilding America's Infrastructure

**ISTEA**

ISTEA recognized that America's transportation infrastructure is key to economic growth and competitiveness in international markets. This means building new infrastructure, to be sure, but it also means better managing the existing system.

**TEA-21**

TEA-21 builds upon ISTEA's emphases on intermodal connections, the National Corridors and Borders Programs, and the use of advanced technologies to maximize system performance.

### Intermodal Connections

In New York, San Diego, Houston, Detroit and New Orleans, we were repeatedly told about the importance of efficient, "seamless" intermodal connections for the movement of both people and goods.

"Government provided infrastructure must keep pace with global trade."

Frans W. van Riemsdyk, Vice President, Sales and Marketing, Maher Terminals, New York Forum

We heard how transit's effectiveness depends in part on how well it interfaces with highway, bicycle and pedestrian facilities. And we heard about how access to national and international markets depends on how well our highway and rail systems interface with seaports, airports, and cross-border transportation systems.

In spite of ISTEA's and TEA-21's emphases on intermodalism and funding flexibility, some expressed concern that some intermodal projects are neither "fish nor fowl" and have difficulty competing in established funding categories and programs. Others talked about the importance of public-private partnerships, and the need to have clearer guidance and understanding of how such partnerships can be formed and then function within the TEA-21 framework. And we were encouraged to "push the envelope" and "think outside the box" as we work with our State, local and private sector partners to create new funding and project delivery strategies.

### Borders and Corridors

TEA-21's National Corridor Planning and Border Infrastructure Programs were the principle focus of the San Diego, Houston and Detroit forums, but they received a lot of attention in several other forums as well. There was unanimous support for the creation of these programs in TEA-21, and agreement that it is in the national interest to have efficient trade corridors and border crossings. Business leaders in particular noted that "just-in-time" manufacturing processes are particularly vulnerable to cross-border delays.

"Congress should be commended for taking decisive action to address our transportation infrastructure problems. The Borders and Corridors programs should be considered a 'launch' to a much bigger program."

Robert Nichols, Commissioner, Texas Department of Transportation, Houston Forum

Concern was expressed that TEA-21's level of funding for these programs is dwarfed by needs, and that spreading available funding to too many areas would hamper program effectiveness.

There was widespread agreement that funding for the two programs should be kept together, rather than identifying separate amounts for each. The feeling was that funds should be allocated based on need and project merit, and that dividing the funds would introduce an artificial restriction in the allocation process.

A major topic of discussion was: what criteria should be used in selecting projects for funding? There were a myriad of suggestions ranging from the general to the very specific, and we will take all of them into account as we develop the evaluation process. Some of the key themes that we heard in this regard include:

- Maximize leveraging of non-Federal funds, including private sector.
- Deploy advanced technologies to maximize return on Federal investment.
- Focus on key linkages that would otherwise not be funded.
- Fund projects with multi-state and international significance.
- Concentrate on projects that are ready-to-go and provide the highest short-term return on investment
- Include safety as a key criterion for project selection.

"Put the money into projects,  
not more studies."

Representative Joe Pickett,  
Texas State House of  
Representatives, Houston  
Forum

We were told how *partnerships* and *leveraging of non-Federal funds* tend to go hand-in-hand. We were advised that commitment of State, local and private stakeholders should be considered in project selection, and that one (though not the only) indication of commitment is the level of resources that each partner brings to the table.

Some speakers noted that institutional and logistical improvements can be as important as new infrastructure in smoothing traffic flows at borders and are generally less costly. Examples include: pre-clearance processes and paperless processing; improvements to inter-agency coordination; and administrative changes such as extending the operating hours of U.S. Customs facilities.

### Intelligent Transportation Systems (ITS)

The potential for advanced transportation technologies to improve the movement of goods between states and across borders was widely recognized.

"Technology has a role to  
play in the corridors program.  
It can improve mobility faster  
and cheaper: it has a quick  
payoff and is ready to  
deploy."

Richard Beaubien, President,  
ITS America Michigan  
Chapter, Detroit Forum

ITS is being seen by State and local transportation agencies as a key tool for better managing the transportation system, for squeezing better performance out existing facilities. Private sector interests, both those who ship and those who transport goods, see ITS as enabling them to more effectively use the transportation system. However, because ITS projects have been "mainstreamed" in TEA-21 and are eligible under a variety of funding programs, there was not consensus as to whether stand-alone ITS applications should be considered in the Borders and Corridors programs.

## Improve Quality of Life in Communities and Protect the Environment

### ISTEA

ISTEA placed unprecedented emphasis on how transportation can contribute to a better quality of life for every American by requiring States and MPOs to consider the impacts of transportation investment on safety, community quality-of-life and the environment.

### TEA-21

TEA-21 builds upon and refines the planning provisions of ISTEA to assure that quality of life considerations are part of the decision making process. It continues and increases funding for the Congestion Mitigation and Air Quality Improvement and the Transportation Enhancements Programs. TEA-21 calls for environmental streamlining and better integration of transportation and community planning. And TEA-21 creates an innovative new pilot program, the Transportation and Community and System Preservation Program, to test new approaches to transportation, growth management and community preservation.

### TEA-21 Policy Objectives

Throughout the listening sessions, remarks reflected broad-based recognition of the significance that transportation has for Americans' quality-of-life. Speakers noted the need to make wise transportation investments that reflect sensitivity to the impacts of transportation on the economy, environment, and quality of life. Speakers asked that the DOT provide a flexible framework for States and MPOs to address these issues, and recommended that implementing guidance and Federal policies be focused on outcomes rather than process.

"We need to combine the best engineering judgement with the best policy directions for transportation for the next century. We need to move more people more efficiently with less impact on the environment. We can do this."

Congressman James L.  
Oberstar, Ranking Minority  
Member, Committee on  
Transportation and  
Infrastructure, Minneapolis  
Forum

A diversity of speakers discussed the value of the many partnerships that have evolved over the past several years and how non-traditional partners in planning and transportation decision-making have had a positive impact on investment decisions. In addition to State DOTs and MPOs, private sector freight interests, bicycle and pedestrian advocates, and environmental and community interest groups all participated in the sessions and shared their perspectives and support for TEA-21's planning, community quality-of-life and environmental programs.

### TEA-21 Planning Provisions

The core of the metropolitan and Statewide planning requirements remain intact under TEA-21, emphasizing the role of State and local officials, in cooperation with transit operators, in tailoring the planning process to meet metropolitan and State needs. The key change in TEA-21 is the consolidation of 16 metropolitan and 23 Statewide planning "factors," and participants in the listening sessions were very supportive of this change. The flexibility this provides to MPOs and States is perceived to be a positive change. Many speakers predicted that this will yield more meaningful assessment of projects and strategies.

"ISTEA's fundamental policies"

and principles were sound. Its principles for planning, environment, intermodalism and transit were maintained and extended in TEA-21. TEA-21 retains a strong local role in the planning process, and keeps the focus on intermodal solutions to transportation problems."

Senator Jack Reed, U.S.  
Senator, Rhode Island,  
Providence Forum

We heard a variety of suggestions on improving the planning process; however States and MPOs did not always agree on approaches to planning issues. Specific suggestions included requests for: continued DOT support for the development of partnerships between States, MPOs, rural areas and stakeholders; information and methods on how to improve public involvement on project and corridor decisions; continued education and training for MPOs; and continued outreach, case studies and other ways of sharing information with States, MPOs, rural areas and other stakeholders.

### **Institutional Relationships and Partnerships**

Many presenters noted that the partnerships that have evolved in the past several years were key to the success of ISTEA. The emphasis on collaborative decision-making has enhanced the planning process. Some speakers noted that USDOT should not dictate institutional relationships, but others felt that there should be a Federal role in ensuring a level playing field. By and large, State representatives felt more strongly than did either MPOs, rural areas or local governments that they should be left to work out their partnering arrangements. Some local government representatives, including rural counties and MPOs indicated satisfaction with State-local partnerships, but others expressed continued concern for balance of decision-making authority and opportunities for consultation among stakeholders.

"Transportation planning as part of Statewide comprehensive planning structure has benefits although they are not always easy to recognize."

Susan Morrison, Chief, Statewide Planning Program Rhode Island Department of Administration, Providence Forum

### **Improved Public Involvement**

A number of speakers indicated that they believe further progress can be made in involving the public and interested stakeholders in the planning process. Some speakers requested DOT clarification on expectations for consultation with other agencies and interested community groups in the planning process. Others felt that corridor and project level public involvement process needs to be improved.

"It all goes back to the right people,... broad based participation is needed from the front end of the process. It should not be possible to have major investments with big surprises two or three years into the process. Bring up issues on the front end."

Beverly Scott, Rhode Island

Transit Agency, Providence Forum
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Speakers generally acknowledged that the transportation community has made extensive progress in seeking public involvement and participation over the past several years yet there is ample room for improvement in this area.

### Education and Training

A number of speakers noted the need for interdisciplinary education at the university level and the value of multiple perspectives being brought to bear on complex transportation issues. Some presenters called upon DOT to provide additional training to MPO staffs and to continue using technology transfer as a way of reaching large numbers of transportation practitioners efficiently. Other speakers noted the value of training transportation professionals to consider the full range of impacts of investments with particular emphasis on impacts to communities, quality of life and the environment. While speakers noted that much progress has been made since ISTEA was enacted, there was general agreement that additional training and education is needed.

Presenters noted the value of knowing what other regions are doing to address the complex array of issues related to providing improved freight and passenger transportation. In this vein, they requested continued DOT emphasis on making case study information on best practices widely available to transportation professionals.

### CMAQ and Transportation Enhancements Programs

Increased funding for both the Congestion Mitigation and Air Quality Improvement (CMAQ) Program and the Transportation Enhancements Program were broadly supported during the outreach sessions. Participants in the listening sessions asked for continued flexibility in the administration of the CMAQ program and that DOT resist reinventing the program. Specifically, they asked that new guidance focus on results, retain flexibility, enable States and MPOs to sustain the partnerships they have developed to date, and continue the new initiatives that have begun through ISTEA funding. There was some concern expressed over the provision that allows States limited flexibility to transfer CMAQ funds to other programs.

"USDOT should retain flexibility in CMAQ, expand the range and scope of projects through pilot projects, and allow us to work with new partners."
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Alan Clark--Houston Galveston Area Council, Houston Forum
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### Environmental Streamlining

TEA-21 calls for the establishment of a coordinated review process for the DOT to work with other Federal agencies to ensure that major transportation projects are advanced according to cooperatively determined time frames. This process is to use concurrent, rather than sequential reviews and will allow States to include State-specific environmental reviews in the coordinated process.

"We need to work to streamline, but do so in a way that seeks to better incorporate choices, alternatives, and secondary impacts of projects."
--

Michael Replogle,  
Environmental Defense Fund,  
Providence Forum

During the listening sessions, there was considerable support for the environmental streamlining provisions along with some cautionary notes. In general, there was consensus that the current review process can be improved including shortening the multi-year time frame for environmental processing and reviews. It was noted that an enhanced process, with all participants involved from the beginning, would enable States and MPOs to consult with environmental and planning partners more effectively and efficiently. Speakers noted that streamlining does not mean weakening environmental goals but calls for refinement of the planning and environmental processes. There was support for streamlining that will save time and money as long as it doesn't compromise the policy objectives encompassing environmental protection. Participants commented that: "doing it right and doing it quickly are not necessarily at odds."

## Improve Safety

### ISTEA

Safety is the DOT's number one priority. There was an increased emphasis on safety under ISTEA, with resources focused on both conventional measures and new technologies to make America's transportation system safer. Under Federal leadership, States and MPOs, commercial vehicle operators, safety advocates, insurance companies, and health professionals joined together to find new ways to reduce transportation-related deaths and accidents.

### TEA-21

TEA-21 protects American's health and safety through programs to increase seat belt use, reduce crashes at highway-rail grade crossings, get unsafe trucks off the road, and prevent pipeline explosions. New incentive programs offer grants that can be used for any Title 23 purpose. These programs are aimed at increasing the use of safety belts and promoting the enactment and enforcement of 0.08 percent blood alcohol concentration standards for drunk driving. In addition, TEA-21 designates "the safety and security of the transportation system for motorized and non-motorized users" as one of the seven newly established factors to be considered in the Statewide and metropolitan planning processes.

## TEA-21 Policy Objectives

During the listening sessions we heard a great deal of support for DOT's efforts to improve safety. Speakers emphasized the critical need for public-private and public-public partnerships to address safety concerns. The Highway-Rail Grade Crossing Safety Program (Operation LifeSaver) and the Red Light Running programs were repeatedly mentioned as two good examples of Federal-State-local partnerships to improve safety on the Nation's transportation system.

"We are happy that funding for the Operation Lifesaver program was increased. This program educates the public on safety issues at grade crossings. All these accidents are preventable."

Bill Joplin, Director of  
Government Affairs, Burlington  
Northern Santa Fe Railway,  
Lakewood Forum

We also heard about the need for additional emphasis on Highway-Rail Grade Crossing safety issues in rural areas. Highway traffic safety programs were often the topic of discussion, particularly ways to improve seatbelt usage and reduce alcohol-related accidents.

"There are four elements to success: Partnerships, public education, public information and enforcement."

Al Kiburas, Retired Chief of  
Police Breckenridge,  
Colorado, Lakewood Forum

Motor carrier safety programs were also discussed, as was the need for enhanced safety for bicyclists and pedestrians. Finally, research on safety issues was raised as an important investment and one which many of the speakers supported.

### Partnerships

Participants emphasized the need to develop new partnerships between the public and private/non-profit sectors to improve safety. States asked for the ability to tailor safety programs to State and local constituencies and for USDOT to allow States and local governments to decide how best to improve safety within reasonable guidelines. Many States supported performance-based guidance as a way to measure progress toward attainment of safety goals. It was also suggested that the DOT merge its safety-related data resources in order to more efficiently provide information to State and local governments.

"Listen to States, use performance based guidance. Focus on what, leave States to figure out how."

James Reed, National  
Conference of State  
Legislators, Lakewood Forum

### Highway-Rail Grade Crossing Safety

Many stakeholders advocated continuation and expansion of the Operation LifeSaver Program with higher levels of funding in the future. The importance of a strong public sector role in education and prevention was noted and possible roles for the railroads include making improvements to frontage roads, installing concrete barriers, and enforcing trespassing programs. Participants requested that the DOT also ensure that States which are primary gateways to Mexico and Canada receive adequate funds to ensure the implementation of needed safety improvements at heavily traveled border crossings.

### Highway Traffic Safety

There was overall support for the advanced air bags schedule, incentive program to improve seat belt use, air bag technology research, repeat offender laws, and open container laws. It was specifically suggested that DOT encourage the enactment of BAC legislation and seat belt programs in the implementation guidelines to the States. Further, speakers noted that local governments and non-profit educational organizations play a key role in improving safety and that these groups can be valued partners with States to better address aggressive driving, child safety seat use, and other safety issues.

"We support the incentive programs in TEA-21 on highway safety, but we are concerned about the funding level for non-construction safety programs. Non-construction safety programs



are the backbone of highway safety."

Craig Allred, Director, Utah  
Office of Highway Safety, Vice  
Chair, National Association of  
Governor's Highway Safety  
Representatives, Lakewood  
Forum

### Commercial Motor Carrier Safety Programs

There was general support for pilot programs, carrier shutdown provisions for failure to pass safety fitness guidelines, programs to regularly check truck maintenance and driver regulation. At several listening sessions it was suggested that greater use of ITS technologies to reduce fatalities involving trucks should be a DOT priority and that short term benefits of such programs could be substantial.

### Bicycle and Pedestrian Safety

The need for improved safety for bicyclists and pedestrians was raised at many of the listening sessions. TEA-21 broadens eligibility to include off-roadway and bicycle safety improvements in the Surface Transportation Program (STP) safety set-aside program. Specific issues raised included safety provisions for bicyclists at diagonal highway-rail grade crossings, ensuring adequate width of bicycle lanes, and the need for continuing bicycle safety education programs for children. In addition, several speakers urged support for the consideration of the safety benefits of traffic calming and street and arterial design modifications in the planning process.

### Safety Research

State DOTs suggested that one necessary element of safety improvement is comprehensive analysis of automotive safety and related medical research issues. These include pre-crash, crash, and post-crash events and effects on people, vehicles and the highway environment. Presenters recommended that case study investigations on roadside hardware, vehicle structure and air bags and restraint systems be undertaken in order to identify new ways to improve safety.

Just as safety is the DOT's number one priority, it was clear from the listening sessions that States, MPOs and the private sector also consider safety a top priority. It is clear from the presentations that transportation agencies, both public and private sector, are eager to continue working with the Federal government to improve the safety and security of the transportation system for motorized and non-motorized users.

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