

Highways crippled by Clean Air Act lunacy

by Marsha Freeman

At a press conference on May 8 in Washington, D.C. hosted by the Road Information Program, three former heads of the Federal Highway Administration—two Democrats and one Republican—stated that the legislation that has been passed by the Senate to amend the 1970 Clean Air Act would do “serious damage to the fiscal basis” of the highway system.

The companion legislation of amendments to the act are under consideration in the House, and the former administrators were astonished to learn that congressional staffers working on the bill were unaware of the effect it could have on the nation’s transportation systems.

The amendments would give the Environmental Protection Agency (EPA) veto power over state and local highway projects, along with the punitive power to withhold federal monies from the Highway Trust Fund which are supposed to be spent on desperately needed programs.

In addition, the mandated use of “alternate” non-petroleum fuels will slash the money going into the Highway Trust Fund, by exempting gasohol from 6¢ of the federal gasoline tax of 9¢ per gallon. The approximately \$13 billion per year collected in the Highway Trust Fund could be cut by as much as \$2 billion.

The former administrators pointed out that automobile emissions have actually been lowered 96% over the past decade, and that the requirement that 10% of the nation’s highway fuel be gasohol will not perceptibly “clean up” the air.

Deterioration of highway safety

The amendments as currently proposed change the purpose of transportation projects, from the provision of improved safety and mobility, to the attainment of clean air. Every other purpose is subsumed by this EPA-enforced criterion. Highway safety in the U.S. is no minor issue: Since 1970, over 1 million Americans have been killed on the nation’s highways and roads.

At the press conference, Ray Barnhart, FHA administrator during the two Reagan administrations, reported that the Senate Clean Air amendments say that “safety hazards, caused solely or primarily by congestion or the use of a structure or facility beyond its design capacity should be removed by reducing, controlling, or limiting vehicle access . . . rather than by expanding capacity.” Thus, any project that would allow more vehicles to use the existing inadequate infrastructure, thereby supposedly increasing

pollution, is *de jure* prohibited.

As Barnhart explained, this would mean that a town with an old bridge that is in disrepair would not receive the funds for improvement, if fixing it would result in more vehicles using the roadway.

Every transportation study conducted indicates that America’s highway traffic will continue to grow substantially in the future, and that without major new investments, congestion will increase. Studies have also shown that the number of automobile collisions increases as the square of traffic density. Thus, this legislated prohibition against expanding and improving highways will *necessarily increase* the carnage on the roads.

Absurdly, the increased congestion created by the Clean Air Act amendments will also increase pollution, as cars sit idle for hours on congested roads, rather than moving efficiently on expanded highway facilities.

The ultimate weapon: sanctions

Under the currently formulated Clean Air Act amendments, the EPA will wield the ultimate enforcement weapon: the cut-off of Highway Trust Fund monies to cities and regions judged to be in “non-attainment” of clean air standards. According to maps provided by the American Automobile Association at the press conference, the areas of pollution non-attainment are exactly what you would expect: every major urban area of the United States.

The Highway Trust Fund’s financial resources have been under attack for many years, as budget-balancing fanatics in Washington have withheld funds from approved state highway projects to make it appear that there was more money in the federal budget—and thus, a lower deficit. As the press conference was taking place, the Subcommittee on Investigations and Oversight of the House Public Works Committee was holding hearings on whether there should be changes in the way the Highway Trust Fund resources are administered.

At the press conference, former FHA administrator Barnhart warned that if the amendments become law, Highway Trust Funds withheld for state highway projects could be diverted from transportation to “solving pollution problems.” For example, these funds “might be used to finance water or sewer improvements or to install scrubbers on smokestacks.” He remarked that the American people will have no “trust” in a Trust Fund which is paid for by their gasoline taxes, and is used for other purposes.

The idea of spending yet less money on transport is almost inconceivable. The actual spending, according to the former administrators, should be in the range of \$100 billion per year, compared to the approximately \$68 billion being spent today.

Anyone who drives a car is aware of the safety and sanity problems on our roads, highways, and bridges. If the EPA is given the power to run transport policy for the nation, these problems will only get worse.