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SUNNY MAYS SCHUST, Editor

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Executive Digest

Information

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A nationwide training for mid-level traffic systems operations managers and staff was held March 12-23 in Linthicum, Maryland, and was deemed such a success that a second training has been scheduled for November, the sponsoring I-95 Corridor Coalition announced this week.

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development of multiple computer software projects.

AASHTO President Victor Mendez, director of the Arizona Department of Transportation, has made an appointment to an AASHTO committee.

FHWA Administrator Capka Leads National Work Zone Observance

On a cloudless spring morning on a yet-unopened flyover ramp that's part of the Woodrow Wilson Bridge reconstruction project, Federal Highway Administrator J. Richard Capka on Tuesday joined officials of AASHTO and several other transportation groups in urging motorists to increase their awareness of work-zone hazards.

Noting the "great day" that provided the backdrop for the eighth annual observation of National Work Zone Awareness Week, Capka reminded his audience that "It's not a great day for the three people who are going to be killed in work zones today" or their families. Efforts to prevent such avoidable deaths and injuries all over the nation are among "the toughest challenges we face," Capka said.

Work zones are necessary to maintain a highway system that is "the backbone of our economy" and "a key to our quality of life," he said. The nation's roadways are aging and the overall system is being "stretched at the seams," he noted.

Yet work zones remain hazardous – and not just for the road-workers who toil in them, Capka said.

"We do have an important mission to protect our workers. But 80 percent of our fatalities are motorists, or occupants of vehicles" rather than road workers, he said.

AASHTO Executive Director John Horsley said drivers can help themselves and those who work on the roads by sticking to the posted speed limit in work zones. "Those who have the greatest stake are the drivers themselves ... but we don't want any of our folks to be at risk."

Virginia Department of Transportation Commissioner David Ekern, who emceed the event and whose state provided the Alexandria site for it this year, noted that this year marks Virginia's 10th year observing work-zone awareness. The event began in that state because a VDOT administrator, Allan Sumpter, "laid awake at night" worrying about the dangers work-zones posed and trying to find a way to communicate the motorists' role.

Although Virginia is proud of its pioneering role in the movement, "the work's not done ... nationwide, over a thousand people were killed in work zones" over the year, Ekern said, and in Virginia 17 died over that period. "Those numbers are unacceptable to us."

Maryland State Highway Administrator Neil Pedersen said "We're looking for ways to take drivers out of autopilot" when they enter a work zone, so they will give the hazards they face in the zone the seriousness they require. Technology has made work zones safer than they used to be, but "ultimately, the response also rests on the driver," he said.

Surface Transportation Commission Hearings Set for Chicago, Minneapolis, April 18-19

AASHTO, the Illinois Department of Transportation and the Surface Transportation Policy Partnership will host the National Surface Transportation Policy and Revenue Study Commission in Chicago for a two-day hearing April 18-19. The commission will also hold another hearing on those dates in Minneapolis.

U.S. Transportation Secretary Mary Peters, chair of the commission, will lead the Minneapolis gathering. Commission Vice-chairman Jack Schenendorf will conduct the Chicago hearing.

The Chicago hearings will feature AASHTO Vice President Pete Rahn, Director of the Missouri Department of Transportation, on Thursday. He will appear during a session titled "Safety Solutions for the Surface Transportation Network." Other AASHTO member departments will be represented in Chicago by Acting Secretary Milton Sees of the Illinois Department of Transportation, Secretary Kirk Steudle of the Michigan Department of Transportation, and Director Gary Ridley of the Oklahoma Department of Transportation.

Lt. Gov. Carol Molnau, Commissioner of the Minnesota DOT, will appear at the Minneapolis hearings. She will be joined in Minneapolis by South Dakota DOT Secretary Judith Payne and North Dakota DOT Director Francis Ziegler.

The Chicago hearings will be held at the James R. Thompson Center Illinois State Office Building, 100 W. Randolph St. The Minneapolis hearings will be held at the McNamara Alumni Center, 200 Oak Street, S.E., on the University of Minnesota's Twin Cities campus.

For a complete list of witnesses and agendas, visit the commission's website at <http://www.transportationfortomorrow.org/>.

Waiver of Billboard Rule Dropped from Emergency Supplemental

An amendment allowing non-conforming storm-damaged outdoor advertising to be exempted from the Highway Beautification Act of 1965 was rejected by the Senate during debate on the supplemental appropriations bill last week.

Sen. Lamar Alexander (R-TN) raised a point of order against the amendment introduced by Senate Majority Leader Harry Reid (D-NV) maintaining that it constituted legislating in an appropriations measure. Reid's amendment would have created a new exemption to provisions of the 1965 Highway Beautification Act, which requires "non-conforming" billboards – usually those packed closely together or in scenic areas – not to be rebuilt if they are damaged by storms. After recent hurricanes, billboard owners rebuilt some signs, leading federal officials to threaten to withhold highway funds to at least two Southern states, *USA Today* reported.

Alexander accused billboard owners of trying to sneak through legislation that wouldn't pass muster otherwise. Citing the efforts of former President Lyndon Baines Johnson's wife Lady Bird Johnson to beautify the nation's roadways, Alexander said "If we're going to gut Lady Bird's legacy, let's at least have the courage to debate it."

Reid did not oppose Alexander's point of order.

The law, passed at Mrs. Johnson's urging, encouraged states to ban billboards that are outsized, too close together or located in scenic areas. Older billboards that don't comply with the new regulations have been allowed to remain, but cannot be rebuilt if damaged or destroyed.

The Outdoor Advertising Association contends the measure would not have changed the law but merely reasserted state legislatures' rights to interpret how to comply with it. "The replacement of damaged billboards is fundamental to the reconstruction of the local economy and infrastructure of areas ravaged by hurricanes," the association stated.

U.S. Supreme Court Rules EPA Should Monitor Greenhouse Vehicle Emissions

Maintaining that a state has sovereignty, but not the legal right to impose vehicle greenhouse-gas emissions standards on other states and countries, the U.S. Supreme Court on Monday said that responsibility falls on the U.S. Environmental Protection Agency and is not superseded by congressional and presidential policy decisions.

The justices rendered a 5-4 decision in *Massachusetts et al. v. Environmental Protection Agency et al.* The case was heard by the Supreme Court on judicial review and overturned an earlier decision by the U.S. Court of Appeals for the District of Columbia. Justices John Paul Stevens, Ruth Bader Ginsburg, Anthony Kennedy, David Souter and Stephen Breyer were in the majority. Dissenting were Chief Justice John Roberts and Justices Antonin Scalia, Clarence Thomas and Samuel Alito.

Delivering the majority opinion, Stevens wrote, "When a state enters the Union, it surrenders certain sovereign prerogatives. Massachusetts cannot invade Rhode Island to force reductions in greenhouse gas emissions. It cannot negotiate an emissions treaty with China or India, and in some circumstances the exercise of its police power to reduce in-state motor vehicle emissions might well be pre-empted."

He added, "These sovereign prerogatives are now lodged in the federal government, and Congress has ordered EPA to protect Massachusetts [among others] by prescribing standards applicable to the 'emission of any air pollutant from any class or classes of new motor vehicle engines, which in [the EPA administrator's] judgment cause, or contribute to, air pollution which may be reasonably be anticipated to endanger public health or welfare.'"

The EPA would regulate the emissions through the Clean Air Act. The case is open for further opinions, the court noted.

Virginia Lawmakers Approve Governor's Amendments to Transportation Bill

Virginia's General Assembly on Wednesday supported Gov. Timothy Kaine's amendments to a bill that will put about \$3 billion into the state's transportation system – the largest such infusion in more than two decades, the *Washington Post* reported.

Kaine, a Democrat who has made transportation investment a keystone of his administration, amended the Republican-sponsored measure in response to concerns voiced by local government officials and a bipartisan group of lawmakers who were concerned too much money for the plan would come from the general fund, which pays for schools, health care and public safety.

The contentious plan, two years in the making, still drew some debate in the Senate – where it passed 29-9 – and in the House, where it passed 85-15.

"I'm voting with my eyes wide open but pinching my nose," said Sen. R. Creigh Deeds (D-Bath), who remained concerned about tapping the general fund and the proposed issuance of \$3 billion in bonds.

The legislation will supply about \$1 billion a year through new issuance of debt, regional taxes, and tolls, the Hampton Roads *Virginian-Pilot* reported. It will help finance regional transportation plans for Northern Virginia and Hampton Roads, two areas of the state severely impacted by traffic congestion resulting from urban growth.

The last increase in fuel and sales taxes for transportation took place in 1986, the *Virginian-Pilot* reported. Kaine had made transportation improvements a campaign issue; he has been in office 14 months.

The plan excluded a major statewide tax increase, but some lawmakers predicted they will be forced to revisit the issue within 10 years.

"I don't know if it's going to fix the problem or if we're just procrastinating until we have the will to create a world-class transportation system for Virginia," said Del. John Welch III, R-Virginia Beach.

New Jersey Launches \$3 Billion Road, Bridge, Transit Program

New Jersey Department of Transportation Commissioner Kris Kolluri announced this week that the state will put \$3.3 billion into bridge, road and transit upgrades statewide, under a program titled "Fix It First," the *Newark Star-Ledger* reported.

The program will help the state economy, relieve congestion and improve safety, Kolluri said in announcing the initiative, which will be launched in the upcoming fiscal year budget starting July 1. The state Transportation Trust Fund will supply \$1.6 billion of the total, with the remainder from federal funds.

Transit will get \$1.29 billion, for new trains and buses and early work on a proposed second rail tunnel under the Hudson River. Another \$400 million will go to towns and counties for local roads, and \$100 million is targeted toward safety improvements.

The program also will increase spending for congestion, safety, bridge and roadway improvements by \$125 million over this year's spending.

Michigan Lawmakers Propose Higher Gas Tax to Improve State Roads

Michigan legislators this week outlined a proposal to raise the state's gasoline tax by 9 cents per gallon over three years, saying it's time Michigan improves its deteriorating roads, the *Associated Press* reported.

The bills also would boost the diesel-fuel tax by 13 cents a gallon and increase vehicle registration fees by 50 percent. The average yearly registration fee of \$95 would jump to about \$142.

The bipartisan legislation was proposed by Rep. Hoon-Yung Hoptgood (D-Taylor) and House Minority Leader Craig DeRoche (R-Nov).

"Our roads are crumbling," DeRoche said in a news conference at which lawmakers were joined by representatives of labor unions, the business community and local governments. "They are not adequately being built and maintained."

The groups argued a gas-tax increase would boost economic development by pumping \$1 billion a year into transportation by 2010, adding that gas-tax revenues aren't keeping up with inflation.

The Michigan Chamber of Commerce, which typically is against tax increases, favors bumping up the gas tax. It last rose in 1997, to 19 cents a gallon.

Under the bills proposed Tuesday, the gas tax initially would rise to 22 cents per gallon, then to 25 cents in 2009 and to 28 cents in 2010.

Critics of the plan told AP it would hurt consumers, noting that while Michigan has a lower gas tax than 33 states, it's one of just a handful of states to charge a sales tax on gas. They said Michigan would have the nation's second-highest combined gas taxes and registration fees if the proposal becomes law.

"It's going to raise the price of gasoline," said Mike Griffin, president of the Michigan Petroleum Association/Michigan Association of Convenience Stores. "We had hoped the legislature would be working to lower the price of gas, not raise it."

U.S. DOT to Require Electronic Stability Control in Cars by 2012

The U.S. Department of Transportation announced on Thursday plans to require electronic stability control (ESC) in all passenger vehicles sold in the United States by 2012. U.S. Secretary of Transportation Mary Peters and National Highway Safety Administrator Nicole Nason announced the final rule for the new requirement at the New York International Auto Show.

ESC can in many cases avert deadly vehicle rollovers. The relatively new crash technology does so by using automatic computer-controlled braking to help safeguard drivers on slippery roads or in emergency maneuvers.

"This technology will save thousands of lives," said Peters. "Like airbags and seat belts, 10 years down the road we will look back at the new ESC technology and wonder how we ever drove a car without it."

"ESC works, it will save lives, and it can give American drivers and passengers the peace of mind that comes from knowing their vehicles have some of the most technologically advanced safety equipment available," Nason said.

According to NHTSA estimates, ESC will save between 5,300 and 9,600 lives annually and prevent between 168,000 and 238,000 injuries. The estimated average cost of ESC is \$111 per vehicle, assuming that a model already has antilock brakes.

The final rule for ESC will require automakers to begin adding ESC to passenger vehicles starting with model year 2009, and to have that technology available as standard equipment by the 2012 model year (September 2011). According to CNN, it will cost automakers approximately \$1 billion to comply with this new requirement.

A copy of the final regulation and accompanying analysis can be found at <http://safercar.gov/esc/Rule.pdf>. Further information about ESC is available at <http://nhtsa.gov/portal/site/nhtsa/menuitem.012c081c5966f0ca3253ab10cba046a0/>.

Active Atlantic Hurricane Season Forecast for 2007

Colorado State University climatologist William Gray—known for his annual Atlantic hurricane season predictions—is forecasting a "very active" five-month stretch for the Atlantic Ocean and Gulf of Mexico, saying there will be 17 named storms. The Atlantic hurricane season lasts from June 1-November 30.

Those named storms are expected to include five intense or major hurricanes, according to Gray's team at Colorado State University. Gray said there is a 74 percent probability of a major hurricane hitting the U.S. coast, the *Associated Press* reports.

The team's forecasts are based on global oceanic and atmospheric conditions. Louisiana, Mississippi, Alabama and parts of Texas are still recovering from the devastation wrought by Hurricanes Katrina and Rita in 2005, which leveled road and railways. That year, there were 28 named storms, 15 of which were hurricanes.

Last year, Gray's forecast—as well as government forecasts—was higher than what the Atlantic hurricane season produced. Gray's team said the reason was a late El Niño that altered oceanic conditions.

There were nine named Atlantic storms and five hurricanes, two of them major, in 2006. That was considered a "near normal" season. None of those hurricanes hit the U.S. Atlantic coast.

French Conventional TGV Train Breaks Speed Record; Passenger Applications Viewed

A double-decker version of France's conventional bullet train this week reached a record 357.2 mph during a test between Paris and Strasbourg as the manufacturer now looks to sell the new comfortable passenger rail cars pulled by a 25,000 horsepower engine to emerging markets like China, the *Associated Press* reports. The route between Paris and Strasbourg is approximately 125 miles.

The French TGV, or "train a grand vitesse (train of great speed)," record fell short of a 361-mph record set by Japan's magnetically levitated train in 2003. The black-and-chrome V150 with three double-decker cars surpassed the record of 320.2 mph set in 1990 by another French train.

Hours before the run, French Transport Minister Dominique Perben received a California delegation, including state assembly speaker Fabian Nunez. The state is studying prospects for a high-speed line from Sacramento to San Diego, via San Francisco and Los Angeles.

Coincidentally, House Transportation and Infrastructure Chairman James Oberstar (D-MN) and other members of Congress were in Europe during the record-breaking TGV train demonstration and took the TGV from Brussels, Belgium, to Paris later in the week. Oberstar included high-speed rail initiatives as part of the committee's agenda during the 110th Congress and has mentioned the need for such congestion reducing alternatives in addresses such as The Road Gang luncheon at the Transportation Research Annual meeting in January.

Normally, French TGVs travel at a cruising speed of about 186.4 mph.

The V150 was equipped with larger wheels than the usual TGV to cover more ground with each rotation and a stronger, 25,000-horsepower engine, said Alain Cuccaroni, in charge of the technical aspects of testing.

Adjustments also were made to the new track, which opens June 10, notably the banking on turns. Rails were also treated so the wheels could make perfect contact, Cuccaroni said. The electrical tension in the overhead cable was increased from 25,000 volts to 31,000.

The record helps solidify France's image in the expanding market for high-speed technology as countries turn to bullet trains. France competes with Germany and Japan for contracts.

China, the biggest potential market, is to start building a high-speed line this year between Beijing and Shanghai, to cut travel time from nine hours to five.

Training on Systems Operations a Success; Second Session Planned

A nationwide training for mid-level traffic systems operations managers and staff was held March 12-23 in Linthicum, Maryland, and was deemed such a success that a second training has been scheduled for November, the sponsoring I-95 Corridor Coalition announced this week.

The I-95 Corridor Coalition provided the funding for the Operations Academy Senior Management Program, which was offered in cooperation with the University of Maryland's Center for Advanced Transportation Technology.

The inaugural session in March trained 22 participants, offering an immersion program of lectures, workshops, working field trips and presentations. Guest speakers included Maryland State Highway Administrator Neil Pedersen, William McCurdy of DuPont Legal, Intelligent Transportation Systems Director Shelley Row of the federal Research and Innovative Technology Administration, Program Manager Valerie Briggs of AASHTO, Traffic Operations Director Cliff Conklin of Telvent Farradyne Inc., and Senior Vice President Jenrette Crowley of Enlightened Leadership Solutions.

Jeff Paniati, Associate Administrator for Operations at FHWA, keynoted the training with remarks emphasizing the importance of developing a cadre of professionals with traffic management and operations skills.

John Horsley, Executive Director of AASHTO, also spoke, recognizing the importance to the transportation profession of knowledgeable professionals in management and operations. Such expertise will be crucial in addressing demands on the transportation system, Horsley said.

A second offering of the operations academy will be November 5-16, 2007. For more information, contact Kathleen Frankle, Program Manager for Advanced Transportation Technology at the University of Maryland, at kfrankle@comcast.net, or telephone (410) 414-2925. Nomination forms for the November session are due May 25, 2007 and can be found on the academy website, <http://www.operationsacademy.org>.

AASHTOWare Technical Service Program Seeks Project Manager

AASHTO is seeking a qualified candidate for the position of project manager to take a lead role in the cooperative development of multiple computer software projects.

The candidate will oversee the solicitation and development process for new projects, including drafting project proposals, requests for proposals, coordinating proposal evaluation and contractor selection, and contract negotiation and administration. As the AASHTO liaison between the task forces associated with each product and the selected contractors, the project manager administers software development contracts to ensure that software-development activities proceed on schedule and within budget. The project manager also performs a lead technical role on software-development activities, including assessment of technology and overall quality assurance. As the primary interface to product and project task forces, the project manager is responsible for ensuring that activities are properly coordinated and proceed according to governing policies, guidelines and procedures of the association. Experience in long-range software planning, budget development and marketing is necessary.

Extensive travel is required. Bachelor's degree is required in civil engineering or computer science, with a minimum of seven years of experience in a related field. Expertise in software development lifecycle and related methodologies and technical skills in project management, software engineering and contract law is desirable. A full benefit package is offered.

Send resumes in confidence to AASHTO, Attn. Human Resources Manager, 444 N. Capitol Street, N.W., Suite 249, Washington, DC 20001. Fax resumes to (202) 624-8471.

AASHTO Appointments

AASHTO President Victor Mendez, director of the Arizona Department of Transportation, has made an appointment to an AASHTO committee:

Harold Linnenkohl, commissioner of the Georgia Department of Transportation Commissioner, to co-chair the Joint AASHTO-American Council of Engineering Companies (ACEC) Task Force.

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