

Speech by: Robert Morgan

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ON FEDERAL AND STATE RELATIONSHIPS

1. I don't believe there is any question that the Federal-State partnership has produced results which could not have been accomplished by the States alone. A good example is the Interstate Highway System. There is much to be said for the Federal Highway Construction Program and the Federal-State partnership.

- a. The Federal Government serves to coordinate the State Highway Program.
- b. The Federal Government has had a big role in developing planning and research units. The Federal Government furnishes funds for study in research projects and coordinates the projects which permit research on a broader scale.
- c. In construction, the Federal Government disseminates information on up-to-date construction practices and methods.

- d. The Bureau of Public Roads has brought about many improvements and produced many good results. Their requirements and suggestions to our Highway Department have improved the procedures.

- e. The Highway officials advise me that the periodic inspections have produced good results and have improved the efficiency of the Highway Commission. The inspections by the Bureau give the Commission someone else's viewpoint as to the carrying out of their operations.

2. There is some room for criticism, however, North Carolina gets a return in Federal-aid highway construction funds of approximately 60% of the Federal gasoline taxes which are collected in North Carolina - the lowest in the Nation, so I do not feel that I should be apologetic in making my remarks concerning the Bureau in administering these funds.

3. Basically, the Federal Highway legislation is good legislation. Most of the requirements are good. For example, the idea of relocation assistance to persons displaced by highway construction is good.

4. However, there are some areas in which there are problems:

a. The regulations: -

- (1) Policy and Procedure Memorandums
- (2) Instructional Memorandums
- (3) Circular Memorandums

b. The volume of these make it difficult to administer the Highway Program.

c. These regulations in many cases promulgated for the purpose of carrying out the law are legislative in nature and the purpose of the law is sometimes lost sight of. In many cases, the Department of Transportation by its regulations and interpretation, in effect, is making State legislation.

5. There is a tendency not to delegate authority - the decisions have to come from Washington. More authority should be delegated to the States.

6. The Federal-Aid Programs overlap and in many cases are over-coordinated and overly reviewed.

7. There has been an increase in the different types of Federal-Aid Highway Programs from 3 to 10 or 11 and more are proposed. The more programs the more restrictions on the ability of the States to put money where it is needed. The States need more flexibility.

8. There is an increasing tendency by the Federal Government to burden the Highway Departments with functions not related to highway construction. For example, a portion of the highway relocation assistance payments are welfare payments and the Highway Department should not be burdened with such payments.

9. In day to day operations the Bureau personnel often lose sight of common sense which is brought

about by the lack of practical experience and their reliance on the written rules and regulations. The Highway officials advise there have been a number of citations by the Bureau for deficiencies which would not have been made by people with practical experience in the field.

10. In many areas of the Federal Government there is not enough consultation with the States prior to promulgating new rules and regulations on policies and procedures. In many of the cases, the States' suggestions have been ignored.

11. On the whole, the Federal-State partnership has brought good results. There have been many improvements brought about by the Bureau of Public Roads.

12. I feel that the relationship can be improved, however, and that some study needs to be made in the areas which I have touched on. I am sure that the Federal officials have criticisms and suggestions as it relates to the States which would be helpful in improving the relationship.

13. I propose that the American Association of State Highway Officials set up a committee to coordinate and consult with the Department of Transportation to make suggestions on procedures and policies. I suggest that the Department of Transportation designate within its policy-making department, officials to consult with the States on their complaints and suggestions. I feel that if the Department of Transportation gave more consideration to the views, needs and criticisms of the States, an even better Federal-State partnership would result.