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The Transportation Development Association of Wisconsin is a statewide, nonprofit educational organization working for an efficient and environmentally responsible transportation system that addresses safe mobility and economic growth.

If you would like to receive this publication by email please contact the TDA office at (608) 256-7044 or general@tdawisconsin.org.

MN Legislature Overrides Pawlenty Veto

Minnesota's Democrat-controlled legislature with the help of six Republican legislators recently overrode Governor Tim Pawlenty's veto of a \$6.6 billion transportation funding package which includes the first increase in the state's gas tax in 20 years. The state's gas tax will increase five cents this year to 25 cents, with a two cent increase April 1st and a three cent increase this fall. In addition, a 3.5 cent surcharge to the gas tax will be phased in over five years and remain in place until the bonds authorized in the bill are retired.

Other details of the transportation package include:

- \$1.8 billion in trunk highway bonds over 10 years
- Elimination of the caps on license tab fees and changing the depreciation schedule
- Dedication of the sales tax on leased vehicles to non-metropolitan transit and local roads starting in FY2010 and fully phased-in by FY2012

- Authorization for metropolitan area counties to impose a 1/4 percent sales tax for transit (No voter referendum required)
- Authorization for counties in non-metropolitan Minnesota to levy a sales tax of up to 1/2 percent for transportation purposes if approved in a voter referendum
- \$25 tax credit for low-income residents

The Minnesota Transportation Alliance estimates that this bill will cost the average driver \$130 per year in increased taxes and fees.

Governor Pawlenty obviously displeased by this first override of one of his vetoes called the bill "a whole basket, a whole bucket of tax increases". Pawlenty criticized the Democrats for acting on the \$6.6 billion transportation bill days before an updated state deficit projection was due. The latest forecast shows a projected \$935 million shortfall for the current two-year budget period, up from a \$373 million deficit that was projected in last November.

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Executive Perspective by Craig Thompson, TDA Executive Director

The Potholes of '08: Seeing is Believing

We are a visual society. We can be confronted with irrefutable facts and overwhelming evidence that a problem exists, but often it takes seeing the problem with our own eyes to understand, finally, that it actually exists.

Case in point? The potholes of '08. We know the preventive maintenance crucial to keeping our roads in good shape has been neglected for years.

We know our transportation infrastructure, as a whole, is aging. We even know we haven't lived up to our responsibilities to maintain and update either our roads or our overall transportation infrastructure, despite the many studies that show an urgent need to solve some very serious existing problems and plan for a better, safer future. In fact, these same studies have long clearly explained to us the dire ramifications for our economy, safety and quality of life if we don't act.

But, in part because there are always other priorities that are more visible and seem more immediate, we haven't understood. We haven't acted.

Now, however, we're bumping and lurching our way along Wisconsin roads, at the mercy of some of the worst potholes in memory. Our coffee sloshes all over the car. We swerve across the center line and back, and squeeze the steering wheel in the hope that the crater we just drove over won't end up sending us to the mechanic or the chiropractor.

The potholes of '08 have headlined virtually every major paper in this state and been the subject of radio talk shows and television news reports. People are gathering online and around the water cooler to share pictures of their favorite – so to speak – potholes. It's fair to say that, in the most vivid seeing-is-believing way possible, crumbling streets and gaping potholes have absolutely gotten the attention of everyone who's driven a Wisconsin roadway these past several weeks.

But the problem that we now see is not the result of winter weather, as harsh as it's been. Potholes form every winter, because moisture seeps in through fissures, or larger cracks, in the road and then freezes. The expanding ice naturally wreaks havoc on the road by causing those cracks to expand into potholes. No, it's not only the weather that has turned this into one of the worst winters for potholes. It's simply that our aging, cracking roads have proved to be such fertile ground for the annoying science lesson of potholes.

What we're really seeing is the sign of Wisconsin's aging infrastructure rising to the surface – literally.

Now that the infrastructure has grabbed us by our wallets and affected our quality of life, we have to decide what we're going to do about it. Spending our energy kibitzing about when and how to fill potholes is a patch just as temporary as the ones our street crews use to quick-fill the worst potholes on the coldest days. We need to let our elected officials know that we're tired of "filling the potholes." We need to find and finance meaningful solutions to transportation problems, solutions that will last for more than one season.

*TDA Welcomes
New Member*

Murphy Oil

FAA Programs Extended Again

On February 28th, President Bush signed a bill extending funding for the Federal Aviation Administration (FAA) and the related taxes. The bill also includes Airport Improvement Program contract authority and extends statutory authority – which had expired at the end of last year – to make program grants.

H.R. 5270, the "Airport and Airway Extension Act of 2008," extends authorities to:

- collect taxes that fund the Airport and Airway Trust Fund through June 30, 2008;
- make expenditures from the Airport and Airway Trust Fund through June 30, 2008;
- make grants to airports under the Airport Improvement Program through June 30, 2008 and provides a total of \$2.756 billion in contract authority for the program (75% of an assumed \$3.675 billion annual total);
- provide Essential Air Service subsidies to three small communities through September 30, 2008.

The House passed a four-year reauthorization bill (H.R. 2881) last year, but the Senate did not. A significant obstacle to bringing the Senate bill (S. 1300) to the floor is a disagreement between the Finance Committee and the Commerce, Science and Transportation Committee, the underlying reauthorization committee, on how to restructure FAA financing. No progress appears to have been made, and it is beginning to look unlikely, especially given the presidential election, FAA reauthorization will pass in the current year.

At a recent Senate hearing John D Rockefeller, chair of the Aviation Subcommittee of the Commerce, Science and Transportation Committee, publicly expressed his opinion on the bill's chance for passage. "There isn't going to be an FAA bill this year is my prediction. I think that's incredibly unfortunate."

GAO Report on Public-Private Partnerships

In response to a request from Congress, the Government Accountability Office (GAO) released *Public-Private Partnerships: More Rigorous Up-front Analysis Could Better Secure Potential Benefits and Protect the Public Interest*. The GAO was asked to review: the benefits, costs, and trade-offs of public-private partnerships; how public officials have identified and acted to protect the public interest in these arrangements; and the federal role in public-private partnerships and potential changes in this role. To this end, GAO reviewed federal legislation, interviewed federal, state, and other officials, and evaluated the experience of Australia, Canada, and Spain.

The GAO found that public-private partnerships "have resulted in advantages for state and local governments, such as obtaining new facilities and value from existing facilities without using public funding." However, the GAO points out that these arrangements are not the solution for meeting all transportation demand and not "without potentially substantial costs and risks to the public – both financially and non-financially – and trade offs must be made." Stating that there is no free money, the GAO concludes that tolls on privately-held highways are likely to be higher than tolls on publicly-held toll roads.

While direct federal involvement to date has been limited to where federal investment exists, highway public-private partnerships may pose national public interest implications such as interstate commerce that transcend whether there is direct federal investment in a project. Accordingly, the GAO recommends that Congress consider having the Secretary of Transportation, in consultation with other stakeholders, develop objective criteria for identifying potential national public interests in highway public-private partnerships.

Visit <http://www.gao.gov/new.items/d0844.pdf> to view the report

DNR to Regulate Ballast Water

After waiting for Congress and state legislators to enact ballast water regulations, the Wisconsin Department of Natural Resources (DNR) now believes the agency can act without legislative action. It was not clear the state had the authority until a judge in a California case recently ruled that the Clean Water Act applies to ballast water. In a February 11th memo, the department stated it was "evaluating regulatory options."

Ballast water is carried in unladen ships to provide stability on the open seas and is discharged in exchange for cargo once at port. Contaminated ballast water has been blamed for the spread of invasive species which leads to the decline of native fish, an increase in algae and a host of other environmental problems. The Great Lakes are currently home to more than 180 foreign species.

TDA and shipping interests have long acknowledged this serious problem and have advocated for Congress to enact federal legislation regulating ballast water as a better solution than a patchwork of state laws and regulations.

Congratulations Contractors

TDA Congratulates contractors recognized for outstanding transportation work during the 2008 Contractor-Engineer Conference on January 30th in Madison. The Wisconsin Department of Transportation presented its annual Construction Awards to the following private-sector partners for outstanding work on transportation-related projects over the past year:

- Excellence in Grading Award to Hoffman Construction Company of Black River Falls for work on WIS 57 in Door County;

Wisconsin Bridges Improve

An audit released by the Legislative Audit Bureau (LAB) finds that the condition of state-owned bridges has improved in recent years. The number of structurally deficient bridges declined from 7.4% in 2002 to 4.2% in 2007. Wisconsin's rate of deficient bridges is the second lowest in the Midwest and approximately half the national average of 8.4%.

The Wisconsin Department of Transportation (WisDOT) has improved on the timeliness of inspections, and according to officials with the Federal Highway Administration runs one of the best bridge-inspection programs in the country.

However, the report did note that 34 state-owned bridges are more than 80 years old, exceeding the expected 75-year life span of a bridge.

The report was also critical of WisDOT's review and monitoring of routine bridge maintenance performed by the counties. The LAB recommends WisDOT "develop policies and procedures to allow regional office staff to better track the type and cost of routine bridge maintenance work performed by the counties on each state-owned bridge."

The audit was requested by lawmakers after the collapse of I-35 W Bridge in Minneapolis which killed 13 people.

Visit http://www.legis.wisconsin.gov/lab/reports/08-BridgeInspectionProgram_Ltr.pdf to view the report

- Excellence in Asphalt Paving Award to Payne & Dolan, Inc. of Waukesha for work on I-94 in Waukesha County;
- Excellence in Concrete Paving Award to Trierweiler Construction & Supply Company, Inc. of Marshfield for work on I-39/90/94 in Dane County;
- Excellence in Small Structures Award to Lunda Construction Company, Inc. of Black River Falls for work on the Tomahawk River

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Transportation in the News

[AASHTO Webcast Analyzing National Surface Transportation Policy and Revenue Study Commission](#) – Commission Vice-Chair Jack Schenendorf outlined the report and responded to questions. AASHTO staff provided analysis of the major findings and how they relate to AASHTO's existing policy positions. Additionally, Commission member Wisconsin Department of Transportation Secretary Frank Busalacchi provided comments by videotape, as did AASHTO President Pete K. Rahn, Director of the Missouri Department of Transportation.

Visit <http://www.transportation.org/news/95.aspx> to view the webcast

[Building America's Future Coalition](#) – Pennsylvania Governor Edward Rendell, California Governor Arnold Schwarzenegger and New York City Mayor Michael Bloomberg have joined together to call for the rebuilding of the nation's aging infrastructure. The "Building America's Future" coalition plans to cross party lines and work with both nominated presidential candidates to make sure the next president understands the enormity of infrastructure crisis.

At a February 24th press conference, six other governors joined the three co-chairman. All emphasized the need for national infrastructure investment. "It's time for the federal government to step up and do its share," said Governor Schwarzenegger.

[Connecticut](#) – Governor Jodi Rell announced during her State-of-the-State address her intention to split the state transportation department into two organizations – one for highways and the other for public transportation, aviation, and ports.

This proposal is the result of the Connecticut Department of Transportation Reform Commission, which was formed by the governor in July of last year. Recommendations included the need for measurable results, priorities, and more aggressive funding advocacy.

A second report addressing funding and financing

is due out this summer.

Visit <http://www.ct.gov/dot/lib/dot/govcomm/govcommfinalreport.pdf> to view the report.

[Georgia](#) – A bill introduced in the Georgia Senate would coordinate the state's 113 rural transit systems into a statewide system to improve service and save money. The bill would create one board to make them all work together. Advocates of the bill estimate that a statewide system could be operational within two years after enactment of the legislation.

[Michigan Tech Establishes Rail Program](#) – When Michigan Tech officially started its rail program last year, it became the second formally established program in the United States. The other is at the University of Illinois.

Pasi Lautala, director of the Michigan Tech Rail Transportation Program and a native of Finland said, "I hope that one day, people in the United States see how much sense it makes to have a well-functioning rail system. I think you kind of see the change right now. The public attitudes change and rail is coming back."

[New Era for Rail Building](#) – Visit the link below to read the February 13th Wall Street Journal Article.

http://online.wsj.com/article/SB120179835382432337.html?mod=googlenews_wsj

[U.S. Strategy to Improve Safety on Rural Roads](#) – U.S. Transportation Secretary Mary Peters recently unveiled a new national strategy to reduce the number of deaths on the nation's rural roads. The department's Rural Safety Initiative will help states and communities develop plans to reduce the risk drivers face on rural roads and highlight available resources. The goals of the new initiative include: safer drivers, better roads, smarter roads, better trained emergency responders, and improved outreach and partnership.

For more information about the program, visit www.dot.gov/affairs/ruralsafety.

Association News

Calendar of Events

Transportation Information, UW-Madison Road Maintenance workshops – Several class dates and locations. Visit www.tic.engr.wisc.edu/workshops/listing.lasso for more information.

TDA Fly-in to Washington, D.C. – April 9th - 10th.

If you know of an upcoming event that would be of interest to TDA members, please forward information to the TDA office, general@tdawisconsin.org.

Save these Dates

- TDA Drive-in – Wednesday, May 14th
- TDA Golf Outing – Thursday, August 21st
- TDA Transportation Symposium – Wednesday & Thursday, November 12th & 13th

Visit the events page on the TDA website, www.tdawisconsin.org, for event details and any future changes in the schedule.

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Bridge and approaches in Oneida County;

- Excellence in Large Structures Award to Zenith Tech, Inc. of Waukesha for work on the Yahara River Bridge in Madison;
- Outstanding Airport Construction Award to La Londe Contractors of Milwaukee for paving the 4,650-foot runway at Wittman Field in Oshkosh.

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Audit of MnDOT

An audit of the Minnesota Department of Transportation (MnDOT) by the Office of the Legislative Auditor released days before the override vote only gave ammunition to those trying to increase transportation funding.

Auditor James Noble told lawmakers, “There are a few bright spots but the overall picture is not good and parts are downright grim.” He described MnDOT as a cash-strapped agency forced to divert money from maintenance to new construction while driving conditions deteriorate.

Visits www.dot.state.mn.us to view the report.

Molnau not Confirmed

Minnesota Department of Transportation Secretary Carol Molnau was ousted from her job by Democrats in the Minnesota Senate shortly after the veto override. Molnau who is also the state’s lieutenant governor will retain this elected position.

Pawlenty, while disappointed, has been anticipating the ouster of Molnau and is considering several potential replacements. Bob McFarlin, Molnau’s assistant, has been named acting commissioner by the governor.