



National Association County Engineers

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*The Voice of County Road Officials*

**NACE UPDATE**

The almost bi-weekly newsletter for Board members, Committee Chairs, and Members  
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**Lame-Duck Session Gets Underway; 4 Big Transportation Issues Remain**

(AASHTO News)

Congress has reconvened to begin a post-election "lame duck" session that could last well into December. Four significant transportation issues remain to be addressed as this year closes out: surface transportation extension, U.S. Department of Transportation Fiscal Year 2011 appropriations, Build America Bonds extension, and Federal Aviation Administration reauthorization.

USDOT appropriations currently end Dec. 3 while the three other major transportation laws are set to expire Dec. 31.

The lame duck got off to a slow start this week as Democrats and Republicans in both chambers elected leaders for the 112th Congress that will convene Jan. 5. A meeting between President Barack Obama and congressional leaders to discuss the agenda for the rest of this year had been scheduled for Thursday, but was postponed to Nov. 30 at the request of Republicans. Congress left town Thursday for a Thanksgiving recess and will return Nov. 29.

Status of the four key transportation measures:

1. **Surface Transportation Extension:** The 2005 surface transportation law known as "SAFETEA-LU" expired Sept. 30, 2009, and has been extended five times. The present extension runs out New Year's Eve. The Senate is working on an extension of expiring surface transportation programs that could last through July 4, CQ Today reported. A senior Democratic aide said a six-month extension or longer was being discussed as members of the Senate committees with jurisdiction over a surface transportation reauthorization bill met Wednesday afternoon. House Transportation and Infrastructure Committee Chairman James Oberstar, D-Minnesota, suggested this week during a meeting with reporters that he prefers a one-year extension. ([see related story](#)) Rep. John Mica, R-Florida and ranking minority member of the House T&I Committee, called for a six-month extension. Mica is expected to take over as T&I chairman when the new Congress convenes in January.
2. **USDOT Appropriations:** Funding for all USDOT agencies expires Dec. 3 when a continuing resolution funding the executive branch expires. Congress has not passed any of the dozen appropriations bills for the fiscal year that began Oct. 1. Senior appropriators told reporters this week that they do not expect an "omnibus" appropriations bill combining all 12 pieces of legislation into one massive package to set funding levels for the rest of this fiscal year. Rather

they expect another temporary extension of Fiscal Year 2010 funding levels into next year, which would give the new Congress an opportunity to complete work on the spending measures. Republicans, who will take control of the House in January, are calling for rolling back federal spending for most programs to Fiscal Year 2008 levels. They also seek to rescind unspent American Recovery and Reinvestment Act of 2009 funds that would include numerous State high-speed and intercity passenger rail projects plus dozens of highway, rail, transit, and port projects funded by Transportation Investment Generating Economic Recovery grants (commonly known as "TIGER grants").

3. **Build America Bonds:** The program, created by the recovery act, is set to expire at the end of this year unless an extension is passed by Congress during the lame-duck session. Both chambers failed to pass an extension this summer despite multiple attempts. States and municipalities use Build America Bonds to finance infrastructure improvements. The bonds are unique because they are taxable, and the U.S. Department of the Treasury pays a subsidy to the issuer to reduce borrowing costs.
4. **FAA Reauthorization:** The previous long-term aviation reauthorization law expired Sept. 30, 2007, and has been extended 16 times during the past three years. Both chambers passed FAA reauthorization bills during this Congress, but a formal conference committee has never been assembled to resolve the differences. Both Oberstar and Senate Commerce, Science, and Transportation Committee Chairman Jay Rockefeller, D-West Virginia, told reporters this week they are holding out hope that an aviation bill can be finished during the lame duck. If not, a 17th short-term extension will be needed to carry legal authority for federal aviation programs into 2011.

### **Oberstar Suggests 1-Year Extension, Reflects on 18 Terms in House**

(AASHTO News)

During what was billed as his final interview with transportation reporters recently in Washington, outgoing House Transportation and Infrastructure Committee Chairman James Oberstar called not completing a federal surface transportation reauthorization bill during this Congress "a big hole in the legislative agenda" and said he recommends the lame-duck Congress extend existing surface transportation programs by one year as their current Dec. 31 expiration date quickly approaches.

"If we're not going to do the six-year bill in the balance of this Congress, then we ought to do a one-year authorization in the hope that the new Congress will come to agreement on a financing mechanism for a six-year bill," Oberstar, D-Minnesota, said during Tuesday's meeting with journalists.

The 2005 surface transportation law known as "SAFETEA-LU" expired Sept. 30, 2009, and has been extended by Congress five times. Oberstar moved a draft bill through his panel's Highways and Transit Subcommittee in July 2009, but declined to bring that measure up for consideration in the full committee because of lack of consensus on how to pay for a vastly expanded bill. While the 2005 bill authorized \$286 billion in federal highway and transit program investment, Oberstar's draft bill proposed \$450 billion for highways and transit plus a new commitment of \$50 billion for high-speed rail.

Oberstar said his 18 terms in Congress, including the last four as House T&I Committee chairman, were guided by the principles of supporting infrastructure investments that maintain a strong, healthy, growing, and mobile economy for America.

"I come to the end of a career in Congress having lived, I believe, faithfully and studiously and vigorously to those purposes," he said.

Oberstar's work in Congress goes all the way back to 1963, when he worked as a clerk on the Rivers and Harbors Subcommittee, which no longer exists. The 76-year-old from Chisholm, Minnesota, easily won re-election in 2008 to his 18th term representing Minnesota's 8th Congressional District with 68% of the vote. But this year Oberstar was caught up in the Republican wave, losing his re-election bid to Chip Cravaack, a retired captain in the U.S. Navy Reserve.

Among the topics Oberstar addressed Tuesday:

- **EARMARKS:** The chairman called efforts to ban earmarks "rather simplistic," noting that the secrecy surrounding many earmarks is the problem, not earmarks themselves. If members of Congress do not designate where the resources of the federal government are invested, "then the executive branch -- either at the national level or at the state level -- makes all those decisions and members and the people that members of Congress represent are without a voice," Oberstar said. He said future surface transportation reauthorization bills should follow an open procedure where lawmakers can earmark spending for important projects in their districts but with openness and assurance from state and local officials that the project is desired and will be carried out.
- **OBAMA'S \$50 BILLION FUNDING PROPOSAL:** Oberstar said the president's recent proposal to frontload a long-term surface transportation reauthorization bill with an additional \$50 billion in federal investment for transportation projects should be considered separately. "He phrased it in the context of a continuing stimulus," Oberstar said. "That's a reasonable thing to do and it should be understood in the context of a stimulus initiative, not as a substitute for a long-term authorization."
- **HIGH-SPEED RAIL:** Newly elected Republican governors who vow to kill their state's high-speed-rail projects are being "terribly shortsighted," Oberstar said. Noting he had spent five days in France last month that included traveling on the high-speed TGV train, Oberstar joked "it's interesting to come back to a Third World country." Regarding America's economic competitiveness with European nations, he said, "We're just sitting on the sidelines while they are eating our lunch."
- **THE FUTURE:** Oberstar said his future plans haven't quite been sorted out two weeks after his electoral defeat. "I do not see my name in any lobbying firm -- that's as much as I know right now," he said. "I want to be of service to transportation in the broadest policy sense of the term, particularly to safety, to a new rural view of America, and to a new urbanism."

### **County Government Works Campaign! What Can County Engineers Do!**

*An Initiative to Raise Awareness and Understanding of Counties By NACo President Glen Whitley*

America's counties face a problem? We know that America's counties provide outstanding programs and services, but unfortunately, many Americans do not know about the responsibilities counties have or the programs and services they provide.

To address this problem, NACo has launched an initiative to make the American public more knowledgeable and positive about the contributions of county government. County officials, both elected and appointed, must tell the story about the effectiveness of county government and how **County Government Works** every day.

Please visit this link to learn more about the campaign and what you can do, as a County Engineer, to educate the public on how **County Government Works!**

<http://www.naco.org/programs/countiesdo/Pages/CountyGovernmentWorksCampaign.aspx>

### **Better Roads Article on 2010 Bridge Conditions**

Great article in Better Roads on bridge conditions across the US.

<http://www.betterroads.com/category/bridge-inventory/>

The breakdown of the Functional Obsolete to Structurally Deficient shows that the Locals (Counties, Townships and Cities) are where the structural problem is the greatest.

### **APPLICATIONS SOUGHT FOR 2011 NATIONAL ROADWAY SAFETY AWARDS**

The Roadway Safety Foundation and the Federal Highway Administration are currently accepting applications for the 2011 National Roadway Safety Awards. RSF and FHWA recognize best practices in roadway safety improvements and publish the practices to help solve reoccurring roadway safety issues throughout the nation.

“We are very excited to begin the process once again of searching for and honoring high achievers in the field of roadway safety,” said Greg Cohen, Executive Director of the Roadway Safety Foundation. “This biennial celebration is an exciting time for us, and for all of the applicants who are doing such tremendous work across the country to keep road users safe.”

*The competition includes three award categories: Infrastructure Improvements; Operational Improvements and Program Planning; and Development and Evaluation. Applicants can submit projects, programs, or activities that include effective and innovative safety agendas, and resourcefully employ various sources of aid including federal, state, local, and/or private sector funds.*

Winners of the competition will receive an invitation to attend a national-level recognition event in Washington, DC; local and national media coverage opportunities; appearance in trade press and other RSF and FHWA publications and websites, and meeting opportunities with key roadway safety officials and legislators in Washington, DC.

The deadline for submissions is **May 1, 2011**. To learn more or to download an application, please visit [www.roadwaysafety.org](http://www.roadwaysafety.org)

### **INFORMATION: FHWA Request for Comments on MUTCD Compliance Dates**

FHWA has published a notice in the Federal Register, requesting comments on compliance dates for highway agencies to upgrade their existing non-compliant traffic control devices in the field to comply with requirements established in the Manual on Uniform Traffic Control Devices (MUTCD). This Federal Register notice is not a rulemaking action. It merely solicits comments on the issues, to help FHWA in analyzing the issues and in considering what actions, if any, might be advisable in the future.

The Federal Register notice presents a general discussion of issues related to MUTCD compliance dates, discusses seven of the existing established compliance dates, and solicits comments and input on those issues and dates. The notice also includes a series of specific questions for which the FHWA requests input on each.

The safety benefits of uniform traffic control devices are well known. However, we have been made aware of concerns by some State DOTs and local highway agencies about the potential impacts of MUTCD compliance dates in the current economic downturn, which has significantly reduced the resources available to public agencies. Therefore we have decided to seek input from all stakeholders on this issue. The public has 45 days starting November 30, 2010 to submit comments to the Federal Register. To review the Federal Register notice and to post comments, please go to [www.regulations.gov](http://www.regulations.gov) and enter FHWA-2010-0159 as the docket number.

### **Secretary of Transportation Ray LaHood: Street Sign Regulations 'Make No Sense'**

Here is what Secretary LaHood says about Sign regulation proposal. Link to story on ABC News: <http://abcnews.go.com/Politics/signs-fine-federal-officials-review-street-sign-regulations/story?id=12282234>

### **Toward Zero Deaths (TZD) August Workshop Materials posted**

Materials from the Toward Zero Deaths (TZD) workshop in August have been posted online. You can access the recordings of the sessions, presentation files, and a summary of the workshop and breakout sessions: <http://safety.transportation.org/activities.aspx>

### **Best Practices in Traffic Incident Management: Executive Summary**

The U.S. Federal Highway Administration has released a report that explores and assesses various traffic incident management policies, procedures, and technologies in order help to identify current best practices in the United States. [\[More\]](#)

### **Successes in Stewardship Newsletter: November 2010**

The U.S. Federal Highway Administration has released the latest issue of its Successes in Stewardship monthly newsletter, which highlights current environmental streamlining practices from around the United States. [\[More\]](#)

### **Listen to NACE Past President Chris Bauserman Discuss Critical Issues in the New Authorization of the Surface Transportation Program! Visit Our Local Roads Matter website!**

Chris E. Bauserman, NACE Past President & County Engineer, Delaware County OH discusses the important issues associated with the next transportation authorization in this important PODCAST. To view his presentation visit the NACE Local Roads Matter Campaign site <http://countyengineers...org/LRM/index.html> (click on Social Media Center).

### **Evaluation of Shared Lane Markings**

The U.S. Federal Highway Administration has released a TechBrief that explores the impact of several uses of shared lane pavement markings on operational and safety measures for bicyclists and motorists. Shared lane markings are designed to help convey to motorists and bicyclists that they must share the roads on which they operate. The markings attempt to create improved conditions by clarifying where bicyclists are expected to ride and by notifying motorists to expect bicyclists on the road. [\[More\]](#)