

State of Texas

Border Partnership

E- Newsletter

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In this Month's Issue:

- **GAO Releases Report on "Freight Transportation- National Policies and Strategies to Improve Freight Mobility" (P. 1)**
- **America's Infrastructure: Ramping Up or Crashing Down ? — The Brookings Institute Calls for Major U.S. Infrastructure Investment Policy (P. 2)**
- **Tracking RFID Chips May Pose Security Risks to Ports (P. 3)**
- **Pod cast program covers Texas transportation issues (P. 4)**
- **NCHRP Guidebook for Integrating Freight into Transportation Planning and Project Selection Processes (P. 4)**
- **GAO Finds Security Issues at International Ports of Entry (P. 4)**
- **CVSA's message: Wearing seat belts saves lives (P. 5)**
- **New Commercial Driver Licenses Requirements Proposed (P. 5)**
- **U.S./Mexico Cross Border Pilot Program Continues Thru FY 2008 (P. 6)**
- **FMCSA Sued Over Hours of Service (P. 7)**
- **TxDOT Proposes Changes to Motor Carrier Rules (P. 7)**
- **TxDOT schedules 57 public meeting about Trans-Texas Corridor (P. 8)**

GAO Releases Report on "Freight Transportation- National Policy and Strategies Can Help Improve Freight Mobility"

In January 2008, the U.S. Government Accountability Office (GAO) released a new report on freight transportation and strategies to help improve mobility. According to this report, a number of factors contribute to constrained freight mobility, which when combined, have significant adverse economic, environmental, and health impacts.

According to the GAO, one factor is the growing demand for freight transportation, as reflected by the increasing volume of domestic and international freight that is moved on the nation's transportation system. According to Department of Transportation (DOT) estimates, the volume of goods moved by truck and rail is projected to increase 98 percent and 88 percent, respectively, by 2035 from 2002 levels.

Another factor is that adding capacity to accommodate this projected increased demand for freight transportation will be constrained by limitations on the nation's transportation infrastructure, including geographic barriers, such as mountain ranges and waterways, population density, and urban land-use development patterns. A third factor is how freight mobility is limited by inefficiencies in how infrastructure is used. For example, the

extent to which carriers bear the full cost of their infrastructure use varies across modes and can contribute to overuse and congestion on some modes. As a result of these factors, freight congestion is rising and is expected to increase in the future. This congestion will have a number of negative impacts.

For example, producers, shippers, and consumers will suffer the higher economic costs of freight transportation. GAO made a recommendation to the U.S. Secretary of Transportation to develop, in conjunction with Congress and public and private stakeholders, a national strategy for freight transportation in order to improve freight mobility by more clearly defining the federal role in the freight transportation network and to begin to align federal expenditures with economically significant national public benefits.

This strategy should clearly define the federal role using criteria to identify areas of national significance and determine the use of federal funds in those areas; establish the roles of non-federal stakeholders; and use new and existing federal funding sources and mechanisms to support a targeted, cost effective, and sustainable federal role. For additional information, please see the full GAO report at: <http://www.gao.gov/new.items/d08287.pdf>

America's Infrastructure: Ramping Up or Crashing Down? -The Brookings Institute Calls for Major U.S. Infrastructure Investment Policy

The Brookings Institute recently released a report on the status of the United States' transportation infrastructure. According to this report, infrastructure has a dramatic effect on the economic competitiveness of our nation, the health of our environment and our quality of life. And infrastructure—freight ports, airports, bridges, roads, rail and transit networks, water and sewer systems, web of channel communications—is the connective tissue of our nation. Smart policies and investments can enhance and further national prosperity and the health and vitality of metropolitan areas, where the bulk of our population lives and jobs are located. According to the Brookings Institute the “long-term infrastructure plan can foster productive growth in our economy, sustainable growth that furthers energy independence and real solutions to climate change and inclusive growth so that low and moderate-income families have access to opportunity. “ With these critical

issues in mind, the third Bernard L. Schwartz Forum on Competitiveness explored the challenges and opportunities for new infrastructure investment. The October 10, 2007 event followed in the wake of two previous forums that focused on American education, innovation, and research and development (April 2006) and America's position in the world in science and technology (October 2006). In his keynote address, Thomas Vilsack, the former governor of Iowa, emphasized that better investments in infrastructure would make us safer; more secure and lead to happier and safer constituents. In sum, infrastructure investments make for good policy that both Republicans and Democrats should support. For a copy of the Brookings Institution report, please see the following website at:

http://www.brookings.edu/papers/2008/01_infrastructure_katz_puentes.aspx

AASHTO Statement on Recently Passed Omnibus Appropriations Bill

John Horsley, the Executive Director of AASHTO issued a recent statement regarding the recent Congressional passage of the U.S. DOT's Appropriations Bill on December 20, 2007. AASHTO was pleased that the Omnibus Appropriations bill maintained the full \$40.2 billion obligation limitation for the federal-aid highway program, authorized by SAFETEA-LU law and that it also allocates \$195 million in emergency funds to replace the I-35W bridge in Minnesota.

AASHTO indicated that the appropriation of an additional \$1 billion dollars in bridge funding will assist all the states in addressing their bridge improvement needs. AASHTO also applauded the continued federal support for Amtrak but re-

grettably said that the bill falls short of the authorized levels for transit particularly in the reduction of the “New Starts Program.” As cities and states explore options for addressing congestion federal funding guarantees should be honored, according to AASHTO.

You can find more information about this topic in the AASHTO report entitled “Revenue Sources to Fund Transportation Needs.” You can find the full AASHTO report at:

www.transportationfuture.org

Tracking RFID Chips May Pose Security Risks to Ports

MONTERREY, MEXICO — Technology that tracks the contents of shipping containers could make some major U.S. sea and land ports vulnerable to terrorist attack, according to a private study.

However, a test of how easily the tracking system could be used as a bomb trigger was ignored by the Department of Homeland Security, according to one of the companies involved in the study. The report described a recent demonstration that showed radio frequency identification technology can set off explosives in shipping containers.

Radio frequency systems increasingly are in use at U.S. ports of entry, touted as a tool for making a post-9/11 world safer. They have been adopted by the U.S. Department of Defense and companies such as Wal-Mart for tracking shipments from suppliers.

Homeland Security and one of its agencies, U.S. Customs and Border Protection, did not respond to questions Friday regarding the RFID experiment. The test and DHS silence regarding it have caught the attention of the U.S. House Committee on Homeland Security.

"It does raise questions, it does raise concerns," said Rep. Henry Cuellar, D-Laredo. Cuellar, who chairs the panel's subcommittee on emergency communications, preparedness and response, said his office would contact DHS officials "to provide us their side of the story." The technology has many applications, including retail anti-theft systems and on vehicles that have pre-paid highway tolls or are pre-cleared to use faster border-crossing lanes. Until Powers International, which spe-

cializes in trade security and logistics, began testing the theory a few months ago, it appears no one had examined the possibility that it could be used by terrorists.

When used on shipping containers, radio frequency identification technology is a two-part system: an electronic tag or seal on a container and a reader that sends a radio signal to prompt the tag to transmit information. In the November test, a detonator tuned to pick up a cargo reader signal set off a small explosive charge placed in an empty container.

The detonator was built by a college student using parts bought at Radio Shack for about \$20, said Powers International chairman Jim Giermanski. Giermanski, author of the report, said in an interview: "What that really means is that all a terrorist needs is an undergraduate and a case of beer." Anne Marie Kappel, vice president of the Washington-based World Shipping Council, said she was aware of the test but had not seen a report on the results.

"Powers International has been vocally opposed to RFID technology for some time," she noted. The American Association of Port Authorities "doesn't currently have a statement regarding the veracity of the report," said Aaron Ellis, the association's communication director.

Source: Houston Chronicle at <http://www.chron.com/disp/story.mpl/headline/nation/5431158.html>

Pod cast program covers Texas transportation issues

The Texas Department of Transportation has introduced a pod cast program that will cover statewide transportation-related topics. It's the first state-sponsored transportation pod cast in the United States.

Five were available on-line Friday, January 11th. The weekly pod casts are part of the department's effort to find new ways to share issues. Larry Krantz, the host of the downloadable audio segment, said in a news re-

lease that the pod cast is a good way for people to find out transportation-related information that TxDOT sends out. The statewide pod casts will run under 10 minutes. They will include interviews with transportation experts.

Krantz started the pod casts in the Tyler TxDOT district in 2006. "My little Tyler district pod cast got some 5,800 hits last month alone," Krantz said in a news release. "That's not bad for something that's

never been advertised commercially. Hopefully the statewide pod cast will be just as successful, but on a larger scale." See the TxDOT pod cast on-line at: <http://keeptexasmoving.com/index.php/podcast>

The TxDOT pod casts can also be found on iTunes. Source: KVUE News website at: www.kvue.com

NCHRP Guidebook for Integrating Freight into Transportation Planning and Project Selection Processes

TRB's National Cooperative Highway Research Program (NCHRP) Report 594: Guidebook for Integrating Freight into Transportation Planning and Project Selection Processes explores a framework for incorporating freight needs for all modes into transportation planning and priority programming by state,

regional, metropolitan, local, and special transportation agencies. The report covers technical issues, organizational suggestions, and communication requirements of freight planning and programming. A project final report that describes the case studies used to help develop the guidebook and other resources used

in the guidebook is available as [NCHRP Web-Only Document 112](#).

Please see the following website for additional information: http://www.trb.org/news/blurb_browse.asp?id=4

U.S. Customs and Border Protection (CBP) is responsible for keeping terrorists and other dangerous people from entering the country while also facilitating the cross-border movement of millions of travelers. CBP carries out this responsibility at 326 air, sea, and land ports of entry. In

response to a congressional request, GAO examined CBP traveler inspection efforts, the progress made, and the challenges that remain in staffing and training at ports of entry, and the progress CBP has made in developing strategic plans and performance measures for its traveler

inspection program.

Link to GAO report: <http://www.gao.gov/new.items/d08329t.pdf>

CVSA's message: Wearing seat belts saves lives

Did you know that in 2006, 703 drivers of large trucks died in truck crashes and 314 of those drivers were not wearing seat belts? The Commercial Vehicle Safety Alliance has launched its "Saved by the Belt" award program to recognize those commercial motor vehicle drivers who have buckled up and whose lives were saved or injuries significantly reduced as a result of wearing a safety belt.

"CVSA created this new program to emphasize safety belt use by commercial motor vehicle drivers and to use these drivers as role models for safety belt use for their peers and their families," said Jim McFarlin, ABF Freight System Inc.'s Director of Safety and Security and Chairman of CVSA's "Saved by the Belt" award committee in a recent press release. "It benefits everyone traveling our highways when we

increase public awareness on the benefits of safety belt use and having more people buckling up." The "Saved by the Belt" award program is sponsored in part by YRC Worldwide Inc. Anyone interested in nominating a person must submit a completed nomination form and a brief narrative of the crash, along with the accident or incident report and other supporting documents and indicate why the nominee should be considered for the award.

For more information on the program, please visit CVSA's Web site at www.cvsa.org. CVSA is an international not-for-profit organization, comprised of local, state, provincial, territorial and federal motor carrier safety officials and industry representatives from the United States, Canada and Mexico.

New Commercial Driver Licenses Requirements Proposed

Under a proposed new federal rule, commercial driver licenses (CDL) applicants would be required to complete classroom and behind-the-wheel training from an accredited program.

The Federal Motor Carrier Safety Administration (FMCSA) announced that beginning three years after the effective date of a final rule, CDL or upgraded CDL applicants would be required to provide a valid certificate from an accredited truck driving program. "This proposed rule will give truck drivers additional skills needed to keep our roads safe," FMCSA Administrator John Hill said. The rule would not affect current CDL holders. The training curriculum includes CDL safety regulations, vehicle operation and safe operating practices.

For a "Class A" CDLs for tractor-trailer drivers, the rule would require a minimum of 76 hours of classroom instruction and 44 hours of behind-the-wheel training, for a total of 120 hours. For "Class B" CDLs (large "box" or van trucks) and "Class C" CDLs (hazardous materials or certain passenger-carrying vehicles), the proposed rule would require a minimum of 58 hours of classroom instruction and 32 hours behind-the-wheel training, for a total of 90 hours.

For additional information, please see the FMCSA website at: <http://www.fmcsa.dot.gov/about/news/news-releases/2007/122607.htm>

U.S./Mexico Cross Border Pilot Program Continues Thru FY 2008

WASHINGTON- The Bush administration is allowing Mexican trucks to continue to travel deep into the United States despite what critics say is a congressional mandate to ban the trucks from U.S. highways. Congress voted last year to halt funding for a pilot program that allows Mexican 18-wheelers to begin traveling freely into United States as part of the 1994 North American Free Trade Agreement. The Department of Transportation contends, however, that the congressional action permits the current program to continue while banning any new program. The Federal Motor Carrier Safety Administration, the Department of Transportation agency that regulates the program, quietly acknowledged last week that the program is still under way, adding that it has issued permits to 11 Mexican companies with a total of 56 trucks. Mexican trucks previously were confined to a 25-mile border zone.

Sen. Byron Dorgan, a North Dakota Democrat, in a letter Thursday to Transportation Secretary Mary Peters, scoffed at that interpretation and called on the Bush administration to end the program immediately. "The DOT response is both arrogant and wrong!" Dorgan wrote. "The Department of Transportation is making a serious mistake if it believes it is not required to abide by this legislation." The 1.4 million-member International Brotherhood of Teamsters, which represents U.S. long-haul truckers, expressed outrage at the administration and vowed to press ahead with a lawsuit against the program, which is pending in a federal appeals court in San Francisco.

Under the program, launched this fall, up to 500 trucks from 100 Mexican companies could travel into the U.S. interior over the next year. The agreement also allows 100 U.S. companies to send their trucks beyond a restrictive border zone in Mexico. Four U.S. companies with a total of 41 trucks have been cleared to travel into

the Mexican interior. More than 500 inspectors have been deployed to enforce safety, vehicle and driver standards, said Melissa Mazzella DeLaney, a spokeswoman for the Federal Motor Carrier Safety Administration. DeLaney said the Mexican companies had made 71 crossings into the U.S. interior as of Dec. 11. The U.S. companies, she said, have made 144 crossings into Mexico. "It's something U.S. companies have never had the opportunity before to do," she said. "There have been no incidents," DeLaney said of the Mexican trucks. "They are the most vetted, the most scrutinized and the most inspected trucks on American roads today." She didn't have a cost breakdown but said the Transportation Department budget paid for the program. With lawmakers in both parties widely opposing the initiative, Congress clearly intended to strip out money for the program in a \$106 billion housing and transportation funding bill that President Bush signed Dec. 26, Dorgan said.

The legislation said: "None of the funds made available under this act may be used to establish a cross-border motor carrier demonstration program to allow Mexico-domiciled motor carriers to operate beyond the commercial zones along the international border between the United States and Mexico." Dorgan released an opinion by Senate legislative counsel Polly W. Craighill asserting that the legislation was intended "to preclude the carrying out of any demonstration program, including the pilot program put into effect in September of 2007." Dorgan sponsored a funding-cutoff amendment that passed the Senate 74-24.

Under the 2008 funding measure, the DOT said, it will "not establish any new demonstration programs with Mexico." But it added: "The current cross-border trucking demonstration project (established in September 2007) will continue to operate in a manner that puts safety first." (SOURCE: <http://www.kansascity.com/news/nation/story/429990.html>)

FMCSA Sued Over Hours of Service

Safety advocates have again gone to court to try to block the FMCSA rule on truck driver hours of service (HOS). In court documents filed during the holidays with the U.S. Court of Appeals, lawyers for a coalition of groups, including Public Citizen and Parents Against Tired Truckers, asked the court to immediately enforce an order striking down the HOS rule. The groups, citing the risk of driver fatigue, have twice persuaded a federal court to reject implementation of the extended hours. The FMCSA this past month codified the rules largely as previously written, allowing drivers 11 hours behind the wheel daily and letting them reset their weekly limit after a 34-hour break. American Trucking Association (ATA) testified before a Senate panel in support of the rule, while Public Citizen and others testified on strengthening. (Source: See *Landline Magazine* at www.landlinemag.com)

TxDOT Proposes Changes to Motor Carrier Rules

The Texas Department of Transportation (TxDOT) has proposed changes to its motor carrier rules pursuant to HB 2093 and HB 2094 passed in the 80th Legislature in 2007. The proposal includes changes to motor carrier registration enforcement procedures including the federal Unified Carrier Registration system, administrative enforcement of oversize/overweight permits, including administrative actions involving violations of the State's permitting laws, and the elimination of tow trucks and vehicle storage facilities from the department. If you would like to see the entire proposal please go to: www.sos.state.tx.us/texreg/sos/PROPOSED/43.TRANSPORTATION.html#77

TCEQ Adopts Changes to the Diesel Emission Program

The Texas Commission on Environmental Quality (TCEQ) has adopted changes to the Diesel Emissions Reduction Incentive Program for On-Road and Off-Road Vehicles. Included in the adoption is a provision to increase the cost-effectiveness from \$13,000 per ton of nitrogen oxides to \$15,000 per ton. TCEQ will also designate highways and roadways or portions of a highway or roadway on which travel by grant funded vehicles may count towards the requirement that vehicles be operated at least 75 percent of the annual miles in the non-attainment areas or affected counties.

If you would like to see the final TCEQ rules, visit: www.sos.state.tx.us/texreg/sos/adopted/30.ENVIRONMENTAL%20QUALITY.html#245

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**Famous Quote of the
Day:**

"In preparing for battle I have
always found that plans are
useless, but planning is indis-
pensable. "

Dwight D. Eisenhower
(34th U.S. President)
1890-1969

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TxDOT schedules 57 public meeting about Trans-Texas Corridor

The Texas Department of Transportation (TxDOT) is opening the door for public comments in an upcoming series of meetings and hearings about one phase of the controversial Trans-Texas Corridor proposal. TxDOT has scheduled a total of 57 public meetings – 11 "town hall" meetings and 46 official public hearings – along the proposed route for a phase of the corridor known as TTC-69.

Officials have scheduled all of the meetings between Jan. 15 and March 3. Citing an environmental impact statement released in November 2007, TxDOT officials narrowed the scope of the proposed TTC-69 to incorporate existing highways into the project wherever possible.

Gov. Rick Perry first proposed the Trans-Texas Corridor in 2003. Since then, many Texas landowners have worried about losing their property to the massive proposal, which is to include multiple but separate lanes for passenger vehicles and trucks, high-speed rail and utility lines from south Texas near the Mexican border to the state's northern border with Oklahoma. Truckers have also been part of the protest because the contracts to build and operate the Trans Texas Corridor will come from the for-profit private sector, which will be allowed to collect tolls.

The strategy for a wide TTC-69 swath could pave the way for states down the line to tie in to the corridor and further notions of an Interstate 69 corridor from Mexico through the Midwest to Michigan and the U.S.-Canadian border. But a lot has to happen before any contracts are awarded for work to begin on the TTC-69. TxDOT officials will host 11 town hall meetings from Jan. 15 through Feb. 3. Officials want to collect information and concerns from the public leading up to 46 public hearings scheduled from Feb. 4 through March 3. For a complete schedule please click on the following website link http://www.keeptexasmoving.com/index.php/public_hearings

AAR Releases '07 Editions of 'Railroad Facts'

Did you know U.S. railroads set total volume, intermodal traffic and revenue records in 2006? Or that the railroads set an all-time-low employee casualty rate and posted fewer train accidents that year?

You will if you obtain the 2007 edition of the [Association of American Railroads'](http://www.aar.org) (AAR) Railroad Facts. The just-released pocket-sized reference guide contains more than 80 pages of facts and statistics on railroads' finances, operations, plant and equipment, employment and compensation, fuel consumption and cost, and loss and damage.

The publication provides data for 2006 and selected prior years as far back as 1929. Railroad Facts also contains a profile of each Class I, Amtrak and Mexico's two largest railways. AAR members can obtain the guide for \$5 per copy.

Non-AAR members can obtain one copy of the guide for \$15; two to 10 copies for \$12 each; and 10 or more copies for \$10 each. Copies are available through the AAR's Web site at www.aar.org.