



FEDERAL HIGHWAY  
ADMINISTRATION  
TEXAS DIVISION

# State of Texas

## Border Partnership

### E- Newsletter

Volume 1, Issue 10 Border Partnership

December 14, 2007

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### Federal Investment in Passenger Rail Should Be Increased to \$357 Billion Congressional Report Says

According to a Congressionally mandated commission, the federal government should invest \$357.2 billion over the next 43 years to expand and improve the nation's passenger rail network, according to a report released Dec. 6, 2007.

The 80-page report, "Vision for the Future: U.S. Intercity Passenger Rail Network Through 2050," was released by the Passenger Rail Working Group of the National Surface Transportation Policy and Revenue Study Commission.

The report envisions a rail network that would include the current national system, planned state corridors, and routes connecting medium-sized cities and high-speed corridors in densely congested areas.

The key performance measure for the system, the study said, would be "the delivery of reliable, on-time passenger service that is travel-time competitive with auto travel." Among the other performance measures that should be considered are congestion mitigation, safety and environmental benefits, and reduced energy use, the report said.

"Highway congestion is only getting worse," said Frank Busalacchi, secretary of the Wisconsin Department of Transportation and a commission member. "Airline congestion and delays are continuing to mount. Gasoline prices are continuing to rise over \$3 per gallon. We need to develop and expand our passenger rail system, not only to provide needed mobility for our nation's travelers, but also to help the nation's environ-

mental efforts to reduce greenhouse gases."

The report calls for the creation of a new federal intercity passenger rail program that would be required "to advance balanced transportation improvements--both from an infrastructure and a management approach."

The program would be responsible in doling out about \$5 billion annually for intercity passenger rail, including Amtrak funding and state grants, the report said. Currently, Amtrak receives about \$1.3 billion annually.

The report said the federal government could provide the funding by:

- Passenger facility charge and/or passenger ticket charge.
- Highway trust fund funding, with a specific portion of any gas tax increase directed to intercity passenger rail. This approach "assumes a significant increase in the gas tax."
- Federal general fund financing, "in recognition of the larger public benefits of intercity passenger rail, including economic, environmental, and energy conservation impacts," and tax credit bonds issued by the federal government.

To view the complete report, visit the Wisconsin Department of Transportation's Web site at <http://www.dot.wisconsin.gov/projects/state/rail-vision-2050.htm>.

## Feds OK state plan for high-tech driver's licenses

WASHINGTON - Arizona could start issuing new driver's licenses with radio-identification chips next year that would be used in lieu of a passport at the U.S.-Mexican border.

The licenses also could prove work eligibility under a new state law that requires employers to verify that workers are in the country legally.

Gov. Janet Napolitano and Secretary of Homeland Security Michael Chertoff signed an agreement Thursday making Arizona the third state, and the first on the Southwest border, eligible to produce enhanced licenses that meet new federal-identification regulations. Washington and Vermont were the first two.

The federal rules already require passports for flying into the United States, including from its North American neighbors. When the rules take full effect next year, they will require passports or other secure documents for land crossings.

Napolitano said the new licenses will be secure enough to serve as proof of work eligibility under the state's new employer-sanctions law, which takes effect Jan. 1. But the licenses will be voluntary, so Arizonans won't be forced to get new IDs.

The new licenses will cost about \$20 or \$25 more than current ones, which range from \$10 to \$25 depending on the person's age, the Governor's Office said. The higher cost is because of the radio-chip technology.

"Arizona will be offering its citizens a comparatively inexpensive and convenient option to satisfy this new border-crossing requirement," Chertoff said.

The deal must be approved by the state Legislature before the new licenses can be issued. Napolitano said she hopes that will happen next year. The program will cost \$4 million to develop and will be paid for out of the higher fees.

"It's in our interest to move this as expeditiously as possible," she said.

The licenses' radio chips will allow U.S. Customs and Border Protection officers to read the cards at a distance, tapping into federal databases to bring up a citizen's photo, name and date of birth. That should help speed up border traffic, Chertoff said. The radio chips themselves won't contain any personal data.

The licenses also should help Arizona meet a controversial new federal rule known as REAL ID, designed to make it harder to counterfeit state IDs. Many state officials, including Napolitano, have objected to the rule because of the cost of compliance. Federal officials should have final regulations for the program ready in the next two months, Chertoff said.

Napolitano spokeswoman Jeanine L'Ecuyer said Arizona still expects more federal money to help cover the cost of REAL ID, even though the agreement signed Thursday commits the state to complying with the regulations as soon as is practical.

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## Texas Gov. Perry appoints Robert Poole to toll road committee

Texas Gov. Rick Perry has appointed Robert Poole of the Reason Foundation to a committee designed to study private investment options for toll roads in the Lone Star State. Poole is the director of transportation studies for the Reason Foundation, a free-market think tank he founded. He is widely known as an advocate of public-private partnerships, congestion pricing and the leasing of infrastructure to private investors.

Poole, a resident of Florida, frequently writes on the topics of transportation, privatization and "free market" alternatives to government-controlled infrastructure. He has advised four U.S. presidents on transportation policy. Perry tapped Poole as one of three appointments he made Thursday, Dec. 6, to the Study Committee on Private Participation in Toll Projects.

Perry also appointed John W. Johnson, a Houston resident who is past commissioner of the Texas Transportation Commission, and Grady W. Smithey of Duncanville who is secretary of the Dallas Regional Mobility Coalition.

Criteria for the committee originated in SB792 that Perry signed into law June 11. The legislation also gave quasi-government tolling authorities an exemption from a moratorium on privately funded toll roads.

Perry stated in a press release that he signed SB792 into law to keep construction moving in areas like Dallas and Houston where regional tolling authorities are building toll roads to battle congestion.

The Legislature directed the governor, lieutenant governor and speaker of the Texas House of Representatives to each appoint three peo-

ple to the nine-member study committee. House Speaker Tom Craddick, R-Midland, appointed Rep. Aaron Pena, D-Edinburgh; Rep. Larry Phillips, R-Sherman; and Rep. Wayne Smith, R-Baytown, were selected as part of the nine-member committee in September 2007. Lt. Gov. David Dewhurst named Sen. John Carona, R-Dallas, chairman of the Senate Transportation and Homeland Security Committee; Sen. Tommy Williams, R-The Woodlands, Senate sponsor of SB 792; and Sen. Robert Nichols, R-Jacksonville. According to the legislation that created it, the committee must deliver any reports, recommendations and/or proposed legislation to the governor no later than Dec. 1, 2008.

### What is the Reason Foundation?

According to their web site the Reason Foundation was formed in 1968, the Reason Foundation works to advance a free society by developing, applying, and promoting libertarian principles, including individual liberty, free markets, and the rule of law. For more information on the Reason Foundation, please visit their web site: [www.reason.com](http://www.reason.com).

## CARB adopts statewide port rule to limit diesel emissions by 2009

SACRAMENTO- The California Air Resources Board (CARB) unanimously approved sweeping new rules last Friday to block older trucks from ports by late 2009 and require all trucks to meet 2007 emission standards by late 2013. CARB spent four hours hashing over the port drayage truck rule, including hearing comments from 36 members of the public and debate between board members about the rule's implications.

The rule means that by Dec. 31, 2009, all drayage trucks must be retrofitted to include 1994 model year engines or newer, and 1994 through 2003 engines must have a level 3 VDECS. VDECS is an acronym for Verified Diesel Emission Control Strategy and refers to an emission control device, designed primarily for reducing diesel particulate matter (PM) emissions, which has been verified by the Air Resources Board under a Verification Procedure regulation.

By Dec. 31, 2013, all drayage trucks must meet 2007 emission standards. Other portions of the new rule aren't yet clear how they'll be enforced. CARB officials hinted at trying to work with port administrators to influence how the regulation will be enforced locally.

Several statements from CARB officials, however, shed light on the agency's perspective. Mike Miguel, who heads CARB's port truck rule team, told the board that 80 percent of goods hauled to and from the ports of Los Angeles and Long Beach are from fleets that rarely leave the Los Angeles area. The agency is aware that its regulation is likely to change the structure of port trucking. "Post regulation, non-frequent visiting fleets are expected to switch to other trucking sectors," Miguel said. "We expect that most non-frequent (visiting) truck owners will choose not to install the equipment needed to comply with this rule."

## Trucks Cross Border Faster with New FAST Lane in Washington State

BLAINE, WA- On December 5th the Washington DOT and Mike Gregoire, on behalf of the State of Washington Governor Gregoire, opened a new designated truck lane on SR 543 that improves freight mobility, and celebrated finishing construction six months ahead of schedule.

Crews transformed SR 543 from a narrow and congested two-lane road into a five-lane highway with designated lanes for cars and trucks, and a new overpass. "These improvements will dramatically relieve congestion and keep freight moving at the nation's fourth busiest U.S.-Canada commercial crossing," said Secretary of Transportation Paula Hammond.

The new designated FAST (Free and Secure Trade) lane allows pre-approved commercial drivers to skip long lines and quickly cross the border, saving time and money. "The FAST lane will help get trucks across the border faster," said Lloyd Ludtke, representative for the Washington Trucking Association. Drivers who are FAST approved typically spend one hour less waiting in line to cross the border, and pass the border inspection booths 30 seconds faster than drivers who aren't

pre-approved. Based on inspection time alone, an additional 12 trucks will get across the border every hour in the FAST lane, compared to the general purpose truck lane.

"This is a huge plus for the trucking industry and our economy," said Ludtke. More than 700,000 trucks use SR 543 every year, and it is estimated that before the improvements were made, congestion cost trucking companies \$22 million annually. Trucks routinely backed up from the border more than a mile down the highway. "Trucks, cars, FAST and Nexus users all have their own designated lanes now," said Governor Christine Gregoire. "The highway now works better for everyone."

The total project cost is \$49 million, which includes money for design, right of way and construction. The 2003 Legislature advanced funding to complete this project prior to the 2010 Winter Olympics in British Columbia. For more details about the project, and to see a lane diagram of the finished highway, or visit the project website at: [www.wsdot.wa.gov/projects/sr543/i5\\_canadian/](http://www.wsdot.wa.gov/projects/sr543/i5_canadian/).

## **ATRI Creates Toll Roads Survey for TMTA Commercial Trucking Members**

AUSTIN- In conjunction with Texas Motor Transportation Association (TMTA) and the Texas Transportation Institute, the American Transportation Research Institute (ATRI) is currently studying Texas trucking companies' opinions of toll roads and the possible impact on the cost of operations due to toll road use.

This survey information will be utilized by ATRI to better inform the Texas Department of Transportation about the trucking industry's concerns. ATRI considers it as an obligation to its members of the Texas trucking industry to voice their opinions on the issue so that the commercial motor carrier industry is considered. Members of TMTA should already have received the survey on Friday Dec. 7th. The TMTA requested that members please fax their completed surveys to: ATRI at 770/432-0638 or to TMTA at 512/474-6494.

## **Houston City Council Proposed Ordinance to Require Obtaining City Permits for Truck Traffic**

HOUSTON- Citing a lack of progress and lack of input from the stakeholders group, TMTA and Texas Aggregates and Concrete Association officials were in Houston last week sharing their concerns with Houston city council members regarding the trucking ordinance proposed by Houston City Councilman Adrian Garcia this summer.

"We haven't even had a meeting during the second 60-day delay since early October and we still don't have any answers to questions we posed back in July," TMTA President John Esparza said. State Representative Mike Krusee, chairman of the House Transportation Committee, received an informal opinion from the Texas Attorney General challenging the legality by which the city seeks the authority to impose such an ordinance.

The opinion was shared last week, when the city council wrote in a letter stating the associations' opposition to the proposed ordinance. "We have been engaged in good faith now for six months on the issue and we cannot get answers to simple questions we

have raised from day one," Esparza said. "It was made clear to us that work is being done outside the stakeholders group on the issue and we can no longer stand beside and play part to a process that doesn't involve the very individuals it would directly impact." "We provided Councilman Garcia approximately 40 questions when this issue first came to light and we have yet to receive any substantive answers," Esparza said. "Our opposition is borne out of the frustration that we cannot get beyond the first step of the process."

The Port of Houston Authority issued an independent economic impact analysis on August 29th. The study reveals an adverse negative impact of \$1.34 billion, the loss of 4,821 direct jobs with an average salary of more than \$48,753 which equals over \$235 million in total lost wages. A total of 16,499 direct and indirect jobs are at risk of loss or workload/wage reduction, and \$41.9 million in unrealized tax revenue.

The Houston City Council took action this last week to send the proposed ordinance back to committee. The Committee on Public Safety and Homeland Security will address the ordinance during its regular order of business scheduled for Monday, December 10th, 2007. During the December 10th meeting of the Houston City Council's Committee on Public Safety and Homeland Security the proposed truck ordinance put forth by Councilman Adrian Garcia was tabled. The ordinance has been put on the back burner for at least six months.

In his closing statement during yesterday's Houston City Council Committee hearing, Councilman Garcia seemingly shifted from his regulatory permitting position and now is advocating for enhanced traffic law enforcement of overweight trucks. He indicated that he will push for increased penalties for repeat violators of overweight restrictions pursuant to commercial motor vehicles.



## New Training Courses & Materials Offered

### PHMSA Offers Hazardous Materials Transportation Training

The Pipeline and Hazardous Materials Safety Administration (PHMSA) offers several free two-day seminars and one-day workshops for anyone who offers or transports hazardous materials in commerce or has a desire to learn more about DOT's Hazardous Materials Regulations (HMR).

The one-day workshop on Dec. 11 in Beaumont provides an overview of how to use the HMR and a summary of the requirements found in the HMR which can affect transportation safety.

The two-day seminar on Multimodal Hazardous Materials Transportation is in Houston on Mar 11-12. This seminar will increase knowledge for the safe and secure transportation of hazmat.

Individuals can register on the PHMSA website at [www.phmsa.dot.gov/phmsaext/feedback/hazmatTrainingRegistrationForm.jsp](http://www.phmsa.dot.gov/phmsaext/feedback/hazmatTrainingRegistrationForm.jsp)

### TMTA Safety Audit Seminar Scheduled for January 24

The TMTA Training institute will conduct a Federal Motor Carrier Safety Regulations seminar with Leon Feazell, former USDOT Texas State Director. The seminar will be held at Cy Weller Conference Center at the TMTA offices in Austin from 9 a.m. to 4 p.m. Register online at [www.tmta.com](http://www.tmta.com). Contact Lance Shillingburg with questions: 512/478-2541.

### TMTA Leadership Seminar Scheduled for February 19-20

TMTA's Leadership and Executive Development Program is set for February 19-20, 2008. This basic leadership program, presented by Bill Webb, will be held at the Cy Weller Conference Center at the TMTA offices in Austin. Registration information and details about the class will be coming out in the near future.

### Rail Freight Solutions to Roadway Congestion—Final Report and Guidebook” (Issued by NCHRP)

In November 2007, TRB's National Cooperative Highway Research Program (NCHRP) published Report 586: **“Rail Freight Solutions to Roadway Congestion—Final Report and Guidebook”**. The report explores guidance on evaluating the potential feasibility, cost, and benefits of investing in rail freight solutions to alleviate highway congestion from heavy truck traffic. The following objectives and tasks were performed as part of this study.

**Objective:** The objective of this project is to develop a Guidebook for assessing the merits of public investment in rail-freight solutions to relieve roadway congestion and for applying tools that demonstrate how best to incorporate rail-freight into urban and intercity transportation decision making.

The study will identify: (1) rail-freight solutions for current and anticipated congestion, (2) key factors and stakeholders, and (3) obstacles and strategies to overcome them.

For additional information, or to download a PDF copy of this new report please see the following web-link address:

**New from TRB**  
**- Rail Freight Solutions to Roadway Congestion—Final Report and Guidebook**  
[http://www.trb.org/news/blurb\\_detail.asp?id=8459](http://www.trb.org/news/blurb_detail.asp?id=8459)

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**Famous Quote of  
the Day:**

"We are what  
we repeatedly  
do."

**Aristotle**

Greek critic, phi-  
losopher, physicist,  
& zoologist (384 BC  
- 322 BC)

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## **AASHTO Releases YouTube Video on "Transportation: A New Vision for the 21st Century"**

The American Association of State Highway and Transportation Officials (AASHTO) has released an 8-minute video on YouTube that outlines AASHTO's vision for reducing congestion, keeping America globally competitive, reducing greenhouse gases and meeting freight and mobility needs over the next 50 years.

The web link to this YouTube video may be found at:

<http://www.youtube.com/user/aashtovideo>

## **AASHTO Committee Encourages Agencies To Use, Contribute to Statewide Planning Website**

AASHTO's Standing Committee on Planning is encouraging state DOT agencies and others to use and contribute to its statewide transportation planning website.

The site – which includes a video introduction from Deb Miller, secretary of the Kansas Department of Transportation and chair of SCOP – provides information and links to each state's transportation planning resources and solicits additional information from users.

The site includes recent news, meetings and events, and a database of resources on a wide range of topics. State profiles may be updated by users by obtaining an identification and password. In addition, users may contribute resources to be posted on the site.

To access the site, link to <http://statewideplanning.org/index.php>. For information on obtaining a password for adding state profile information, contact Monica Zhong at [monica.zhong@dot.state.fl](mailto:monica.zhong@dot.state.fl) or by phone at 850-414-4808.



## ***IPANA is on the move with a new location and date!***

NASCO and the Free Trade Alliance invites you to attend the 4th Annual IPANA Conference in Laredo, Texas from February 25-27, 2008!

Historically, this event has been held in San Antonio, but the event will begin rotating along the corridor and will now be held each spring.

In years past, IPANA has focused on one specific mode of transportation related to inland ports, but this year we'll be focusing on all modes as well as other timely issues such as real estate developments along the corridor, multi-modal services at inland ports, marketing your inland port, emerging technologies, cross border trucking updates and a look at North American Competitiveness.

Join us as we expand our event to include multi-modal updates, round table discussions, tours of the international bridges and much more! **For more information visit** [www.nascocorridor.com](http://www.nascocorridor.com) or contact Rachel Connell at (214) 744-1006.

**IPANA Conference  
February 25-27, 2008  
Laredo, Texas**