



**FEDERAL HIGHWAY
ADMINISTRATION
TEXAS DIVISION**

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State of Texas Border Partnership Newsletter

Volume 1, Issue 8 Border Partnership

October 5, 2007

FMCSA to Initiate Real-Time GPS Tracking for Participating Carriers

All Mexican and U.S. vehicles participating in the ongoing cross-border trucking demonstration project will have to participate in a satellite-based vehicle tracking system under a plan being developed by the U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) and the government of Mexico's Secretaria de Comunicaciones y Transportes (SCT). In May, the two countries agreed to explore satellite technology as an enforcement tool for the cross-border trucking demonstration project.

FMCSA on September 27th announced in FedBizOpps its intent to issue a contract to provide satellite terminals for the near real-time tracking of commercial trucks traveling throughout the continental U.S. and Mexico as part of the cross-border trucking demonstration project. The systems will be installed at no cost to the participating trucking companies – it is not required on U.S. trucking companies operating solely within the U.S.

"This will give us the ability to monitor every vehicle from Mexico and ensure all companies are following our strict safety requirements, including those governing hours of service and cabotage," said John Hill, FMCSA Administrator. The vehicle tracking system will incorporate a global positioning system and wireless technology to accurately determine a vehicle's

position, and will be used to monitor hours of service, cabotage violations (the point-to-point shipping of domestic loads within the U.S.) and date and time of international and state crossings. Vehicles will be tracked by vehicle number and company – no driver information will be collected or tracked. For additional information on this new GPS tracking program, please contact FMCSA HQ's Contact: Melissa Mazzella DeLaney, Tel.: (202) 366-9999 or (202) 366-2309.

Additional US & Mexican Carriers Receive Long Haul Authority

IBC Inc., a San Diego-based trucking company became the second U.S. carrier to receive authority to make long-haul deliveries into Mexico. While Transportes Rafa, a Mexicali, Baja-based trucking company and Transportes Padilla, a Tijuana-based trucking company, become the second and third Mexican trucking company to receive authority to make long-haul deliveries into United States as part of the cross-border trucking demonstration project.

The U.S. Department of Transportation has also authorized a third Mexican carrier to do long-haul trucking in the United States. In a press release, FMCSA administrator John Hill said the Tijuana-based company Transporte Padilla plans to use three of its trucks for cross-border hauling. In its new pilot program, FMCSA plans to authorize as many as 100 Mexican trucking companies to operate in the U.S.

Strategies to Fight Traffic Congestion Highlight AASHTO Annual Meeting

Strategies aimed at relieving the growing congestion crisis will be on the agenda at the Annual Meeting of the American Association of State Highway and Transportation Officials (AASHTO), which will take place September 27–October 1 at the Midwest Airlines Center in Milwaukee, Wisconsin. A special report outlining the information shared in a series of four regional congestion summits held over the summer by AASHTO member transportation departments will help kick off a congestion workshop on Thursday, Sept. 27, to be followed by a panel, “Taking Action to Fight Traffic Congestion,” on Sunday, Sept. 30.

Also at the AASHTO Annual Meeting, state and federal officials will discuss actions taken to address the needs of the nation’s bridges, including proposed financing for the work and pending legislation. Two sessions and the keynote speech will focus on energy issues, including global warming. “This will be a chance for the chief executive officers of the state transportation departments to get the latest information on what Congress is proposing regarding the nation’s infrastructure, including a pending shortfall in the federal Highway Trust Fund,” said John Horsley, Executive Director of AASHTO.

Speakers at the Sunday Plenary Session include Bill Nye, “The Science Guy,” on the topic of global warming. The meeting also will feature a trade fair, the investiture of AASHTO’s new president for the year 2008, and a ceremony honoring AASHTO award-winners. AASHTO’s Executive Committee and Board of Directors will hold sessions.

Also to be held in conjunction with the Annual Meeting will be meetings of AASHTO’s Standing Committees on Highways, Highway Traffic Safety, Aviation, Planning, Environment, and Commissioners and Boards; its Reauthorization Steering Committee; its Special Committee on Intermodal; its Task Force on Intercity Passenger Rail; and its councils on Project Delivery and Operations. In addition to the congestion summit, this year’s “tracks,” or themed discussions delivering expertise on several topics, in-

clude energy issues for state transportation departments; new trends in financing; and growth and development of intercity passenger rail.

During the Saturday morning session of the Annual Meeting Trade Fair, teams of students from across Wisconsin will compete in an engineering design challenge, for prizes. The competition—which will include a team of adult professional engineers competing just for fun—is part of AASHTO’s TRAC program, which provides curriculum to middle schools and high schools that gives students background in the principles of engineering.

Members of the media do not have to pay registration fees in order to cover the sessions. For more information on the AASHTO Annual Meeting, or to register, see the website: <http://www.dot.wisconsin.gov/business/engrserv/aashto-index.htm>.

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Highway Trust Fund Could Be Short \$4.29 Billion in FY 09

The Highway Trust Fund could fall short more than \$4.29 billion in fiscal year 2009, a Treasury Department economist told a gathering of transportation experts Sept. 25, but said the "most likely" outcome would be a shortfall of \$110 million.

Richard Prisinzano, economist at the department's Office of Tax Analysis, said increased fuel efficiency and rising gas prices have caused a slowing of growth in highway-related excise taxes since 2003.

"The trust fund has a bleak outlook," Prisinzano said during the annual gathering of the American Highway Users Alliance. "People are doing less driving."

While it is not news that experts expect the trust fund to be insolvent at some point in fiscal year 2009, most have projected a \$2 billion shortfall for that year.

Prisinzano said that \$4.29 billion was a "worst case scenario," and a "best case scenario" is projected at a positive \$2.29 billion.

However, he said the "most likely case scenario" based on Treasury models shows a negative \$110 million in the trust fund. He said net receipts are likely to drop 1.5 percent in FY 2007. Prisinzano said he does not expect a "huge drop" in net receipts in FY 2008, but said he does not "know what the [gross domestic product] will be."

Truck Idling Emission Restrictions Growing in Number of States

Truck idling limits in Rhode Island, New Jersey and California are the newest restrictions in a growing list of regional regulations, according to a recent report published by the American Transportation Research Institute (ATRI).

Mike Tunnell, director of environmental research for ATRI, said truck-idling restrictions and enforcement activity have grown in recent years, expanding a "patchwork" of idling regulations. "There are an increasing number of regulations across the nation that truckers are going to have to face more and more, because we're generally also seeing increased enforcement," of those regulations, said Tunnell. "There's a growing awareness of where these idle regulations exist."

To help truckers keep up with new regional regulations, ATRI publishes a monthly report called the "Idling Regulation Compendium and Cab Card," said Daniel Murray, vice president of ATRI. In Rhode Island, where no idling ban previously existed, truckers now are limited to five minutes of idling.

Fines in Rhode Island range from \$100 for the first idling offense to \$500 for each succeeding offense. California will do away with its sleeper-berth idling exemption Jan. 1. The state currently limits truck idling to five minutes but allows truckers to idle while they are resting in a sleeper berth.

According to ATRI's latest report, New Jersey also restricts idling for "permanently assigned vehicles," or trucks that run predefined routes in the state. Those trucks were previously exempt from the state's three-minute idling restriction.

Meanwhile, a new bill introduced in the Pennsylvania House of Representatives would limit truck idling time in the state to five minutes in any one-hour period. According to the bill, trucks would be allowed to idle for up to 20 minutes per hour when temperatures are lower than 40 degrees or higher than 80 degrees.

Dept of Homeland Security's TWIC Enrollment May Begin in October 2007 for One Shipping Port

After several delays and criticism from congress, the much-anticipated Transportation Worker Identification Credential (TWIC) program may begin enrolling truckers and other workers at one port beginning in October 2007.

The TWIC program centers on an application process and identification card that will have an embedded computer chip that can be read remotely by port security. Applicants can submit a variety of several documents in the application process to prove residency, including birth certificates or U.S. passports.

An estimated 800,000 truckers and other port workers will have to apply for and receive TWIC cards to access U.S. ports after the program is fully implemented.

The www.washingtontechnology.com web site recently reported that Homeland Security Undersecretary for Management Paul Schneider told the U.S. House Homeland Security Committee that his department hasn't yet set a date but is aiming for early October. The first enrollments will occur at the port of Wilmington, DE. TWIC enrollment has been delayed due to several technical glitches and software issues.

FMCSA Wants to Keep Current Driver's Hours of Service (HOS) for 12 Months

A recent court ruling tossing two key provisions in the hours-of-service regulations put truckers in a state of limbo wondering what would happen next.

If the Federal Motor Carrier Safety Administration gets its way, the current rules could stay in effect for another 12 months.

The agency filed a response to the American Trucking Associations request for a stay. In the agency's response, agency officials stated that they believe the industry would be better served to remain under the current rules while a new rule is hammered out. The only other option for FMCSA would be to issue an interim final rule.

"FMCSA believes that a stay is preferable to an (interim final rule), since it will allow the agency to focus its efforts on gathering data and comments in conjunction with a final rule, while avoiding the severe disruption that would result from a change in the status quo," the agency's legal team pointed out in its response. On July 24, the U.S. District Court of Appeals

for the District of Columbia tossed the provision that increased driving time to 11 hours from 10 hours and the 34-hour restart provision.

In its response filed Friday, Sept. 21, FMCSA pointed out that the court ruling tossing the two provisions identified "procedural defects" that require additional notice and comment or explanation from the agency.

The agency also points out that available data show that continuing the status quo will not diminish safety. The response gives the industry the first glimpse into FMCSA's plan since the court ruled in late July eliminating two provisions of the regulation.

AAR Study Cites \$148 Billion in Needs for Rail Infrastructure

To ensure that adequate rail capacity exists to meet future freight and passenger demand, the private sector and the federal government need to invest about \$148 billion in rail infrastructure over the next 30 years, according to an industry study released Sept. 20.

The "National Rail Freight Infrastructure Capacity and Investment Study," released by the Association of American Railroads (AAR), found that without the investment, 30 percent of the rail miles in the primary corridors will be operating above capacity by 2035, causing severe congestion that will affect the entire nation and potentially shift freight to an already congested highway system.

"These investments will help the freight rail industry ease highway congestion, reduce stress on highways and bridges, significantly lower transportation-related energy consumption and emissions, and maintain existing capacity for Amtrak and local commuter rail," said Edward Hamberger, AAR president and chief executive officer. "If these investments aren't made, everyone in the country will feel the impact."

The study, conducted by Cambridge Systematics, highlights needed investment in new tracks, signals, bridges, tunnels, terminals and service facilities to keep pace with capacity demand, which is expected to almost double over the next 30 years. The study found that most of that investment--\$135 billion--will be needed on the rail networks operated by the Class I freight railroads. The remaining \$13 billion will be needed by the short line and regional freight railroads.

The study notes that under current conditions, the railroads anticipate that the marketplace would provide about \$96 billion of the needed investment, leaving a gap of about \$1.4 billion per year--an amount that could be funded through railroad infrastructure tax incentives, public-private partnerships, and other sources.

"Since the railroad industry's partial deregulation in 1980, railroads have been able to invest over \$400 billion back into their operations,

creating a national freight rail system that is second to none," Hamberger said. "The primary message from this report is that railroads need to materially increase their investments to expand capacity. Railroad earnings and productivity are the key to making these investments."

Hamberger said his group supports legislation that would provide tax credits to companies that invest in rail infrastructure. Reps. Kendrick Meek (D-Fla.) and Eric Cantor (R-Va.) introduced legislation (H.R. 2116) earlier this year that would provide a 25 percent tax credit for companies investing in new freight rail track, rail yards, locomotives, intermodal facilities, or other rail infrastructure projects over a five-year period. The bill, awaiting action from the House Ways and Means Committee, has 35 co-sponsors.

To view the full report, visit the AAR Web site at http://www.aar.org/PubCommon/Documents/natl_freight_capacity_study.pdf

New TxDOT Executive Director Has Been Selected by Texas Transportation Commission

During a recent Texas Transportation Commission held in Austin on September 27, 2007, Amadeo Saenz was named the new executive director of the Texas Department of Transportation by the Texas Transportation Commission, becoming the 19th person and the first Hispanic to head the agency since it was created in 1917. Saenz is a transportation engineer with 29 years state experience, including leadership roles in Pharr and Austin.

"Amadeo has the unique combination of experience, knowledge and skill necessary to lead TxDOT and meet the growing transportation challenge we face in Texas," said Ric Williamson, Texas Transportation Commission chairman.

Since 2001, Saenz has served as TxDOT's assistant executive director for engineering operations. He has been instrumental in implementing the department's strategies to use all financial options to build transportation projects, empower local and regional leaders to solve local transportation problems, increase competition to reduce costs and to make consumer-driven decisions.

"Amadeo is eminently qualified to focus the employees of the department on reducing congestion, enhancing

safety, expanding economic opportunity, improving air quality and increasing the value of the state's transportation assets," said commission member Fred Underwood.

Saenz, a native of Hebbronville, was district engineer in TxDOT's Pharr District from 1993 to 2001 and was in charge of all department activities in an eight-county region.

He oversaw TxDOT's response when the Queen Isabella Causeway was hit by a barge in 2001 and directed emergency repairs, which were completed in less than three months. Saenz held numerous other engineering positions in the Pharr District after joining TxDOT in 1978.



Photo of Amadeo Saenz,
Courtesy of TxDOT

"Amadeo is eminently qualified to focus the employees of the department on reducing congestion, enhancing safety, expanding economic opportunity, improving air quality and increasing the value of the state's transportation assets..."

**-Texas
Transportation
Commission
Member Fred
Underwood.**

State of Texas ready to develop finance plan for Ports to Plains corridor

DENVER - Texas transportation officials say it is time to come up with a plan to pay for the Ports-to-Plains Corridor, which many local officials predict will create new jobs and economic opportunity for West Texas.

The Texas Department of Transportation recently announced it will form a new working group to develop a financial master plan for Ports-to-Plains.

"It is time to establish the financial plan so we know exactly what we're aiming for," said Fred Underwood, member of the Texas Transportation Commission. "Our agency will devote the resources to getting this done in partnership with the Ports-to-Plains Trade Corridor Coalition.

We must make this corridor a reality and make Ports-to-Plains a familiar name to communities along this route who will benefit tremendously from its completion."

Underwood spoke recently at the Great Plains International Conference in Denver, Colorado. Ports-to-Plains is a proposed divided highway corridor stretching from Laredo through West Texas to Denver, Colorado.

Designated as a High Priority Corridor by Congress in 1998, the Ports-to-Plains corridor is intended to expand economic opportunity and serve international trade from Mexico to Canada.

Despite the congressional designation, adequate federal funding has not been provided to cover the cost of the project. "

TxDOT and Commissioner Underwood understand the need for innovative transportation solutions is not limited to metropolitan areas"" said Michael Reeves, president of the Ports-to-Plains Corridor Coalition.

"We look forward to partnering with them to find the best financing plan that will work for our rural corridor. Ports-to-Plains and TxDOT have worked together to secure the benefits of trade for West Texas, and we are excited to be taking the next step."

In addition to being be a catalyst for economic development and job creation, the Ports-to-Plains Corridor could provide a way to transfer energy generated by wind turbines in West Texas to other parts of Texas and the southwest, according to Underwood.

"If you drive through West Texas, you will likely see large wind turbines that dot the horizon," Underwood said. "These turbines are creating vast amounts of clean and renewable energy.

The Ports-to-Plains Corridor would provide a fantastic opportunity to move this energy to cities in need of power." West Texas agriculture will also benefit from Ports-to-Plains, according to Reeves.

"Today 40 percent of all U.S. agriculture products are exported," he said. "Ports-to-Plains is vital for West Texas farmers and ranchers to compete in a global market."

Earlier this year, Cambridge Systematics issued a report to TxDOT outlining the rural development opportunities if Ports-to-Plains is built as part of the proposed Trans-Texas Corridor project.

"As Texas grows by 1,000 people a day, the Trans-Texas Corridor is about making transportation safer, faster and more reliable," said Underwood. "It will improve mobility by providing additional driving lanes, options for rail travel, and routes to divert long-distance traffic from local roadways."

Ships are Found to be Top Polluters in Port of San Diego

California officials are looking to create clean-air program by next year

SAN DIEGO – The first inventory of air pollution connected to the Unified Port of San Diego shows that oceangoing vessels accounted for most of the nitrogen oxides, sulfur dioxide and particle emissions last year.

Ships also produced more greenhouse gases, which contribute to global warming, than any other port-related sector. Port officials released their \$120,000 study yesterday.

They also have convened a community advisory group to help shape a clean-air plan by early 2008. Remedies may take years to put in place partly because it's not clear what the California Air Resources Board will require.

However, San Diego port officials said one major pollution-control measure – providing dockside power for ships – could be significantly cheaper than what their initial estimates indicated.

"Now that we have the inventory, we'll look at what can be done to minimize pollutants," said David Merk, the port district's environmental manager. The port's efforts likely will resonate with the public even though air quality in San Diego County is far better than in some other regions of the state of California

"Now that we have the inventory, we'll look at what can be done to minimize pollutants..."

—David Merk, San Diego Port District's environmental manager.

US Congressional Investigators Report Problems with Border Security

Speaking before the Senate Finance Committee Thursday, Director of Special Investigations at the U.S. Government Accountability Office, Greg Kutz, said the protection of U.S. borders is woefully inadequate.

His testified during the third in a series of hearings on the GAO's investigations of border security. Kutz said the investigators found entering the United States illegally is easy, especially through the northern border with Canada. "Our work clearly shows substantial vulnerabilities on the northern border to terrorists or criminals entering the United States," he said.

To illustrate, Kutz said GAO investigators trying to enter the country from the north found several ports of entry along the U.S.-Canada border unmanned and unmonitored. He said at

one site, they succeeded in simulated smuggling of radioactive and other contraband materials into the United States.

About 12,000 border patrol agents are currently deployed along the southern border, compared to about 1,000 in the north. Of those one-thousand, Colburn said only 250 are on duty at any given time.

The Canadian Security Intelligence Service reports that more international terrorist groups are active in Canada than anywhere else in the world. The group says terrorists from 50 different organizations around the world have posed as refugees to try to get into the country.

For additional details on this GAO report, please see the following web link for additional information: <http://www.gao.gov/new.items/d07884t.pdf>

Foro de Logística del Atlántico October 3-5, 2007

Logistics plays a key role in the development of the current economic globalization. International trade grows fast, demanding new capabilities and logistics infrastructure to face this scenario in continuous change.

Development must be sustained by facilitating trade and the effective management of supply/distribution chains, adding value to comparative advantages of the regions and transforming them into competitiveness.

International Logistics involves a growing number of specialized agents, public and private, that share interests and concerns about markets

and their on-time supply. The State of Tamaulipas presents Foro de Logística del Atlántico, a time of analysis, consideration and experience interchange, for the definition and development of Logistics and the necessary infrastructure for integration of production and international trade.

The Forum will consist of three events: "Third Logistics Workshop for Regional Competitiveness"; "Logistics Seminar of the Atlantic"; and EXPOLOGIS 2007.

For more information please visit <http://sedeem.tamaulipas.gob.mx/foro/>.

North America Works III October 18-20, 2007

NASCO and the Kansas City International Affairs & Trade Office are pleased to announce North America Works III. NAW III is the half-way point between the NASCO Conference each year.

During this one day series of working group sessions, you'll learn about best practices along the corridor in the areas of logistics and transportation, the manufacturing sector, and service and technology industries. The format is relaxed, interactive and will provide for much discussion!

NAW III is extremely relevant as the United States, Canada and Mexico work together to address dynamic changes that are occurring in the global marketplace today. The event will again provide the opportunity for decision makers, leaders and entre-

preneurs to be involved in important panels and presentations.

Discussions will underline the critical role that entrepreneurs and leadership play in North American competitiveness and transportation strategies as well as the importance of trilateral trade to the North American economy. The conference panels will be structured as working groups this year, to allow for more interaction and questions and answers from the attendees and panelists.

For registration and sponsorship information please visit the following web link:

<http://www.kcmo.org/international.nsf/web/naw>

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Next FHWA HQ's Talking Freight Web Seminar

The next FHWA HQ's Talking Freight Webinar topic will be on "Urban Congestion and Freight" and will take place on October 17, 2007 from 1:00 p.m. to 2:30 p.m. (EST). Congestion in urban areas affects the efficient flow of freight into, out of, and through these centers.

Finding solutions to this congestion is a challenge. This seminar will discuss three examples of different approaches tailored to different settings, from the

Port of Tacoma, Atlanta, Georgia, and Kansas City. To register, click on the following link http://www.nhi.fhwa.dot.gov/resources/webconference/web_conf_learner_reg.aspx?webConfID=10712

TRB Conference on Research Issues on Freight Transportation— Congestion and System Performance

TRB is sponsoring the Research Issues in Freight Transportation - Congestion and System Performance conference on October 22-23, 2007, in Washington, D.C.

The conference is designed to improve collaboration among researchers; encourage interaction and synergies among universities, government, private interests, and TRB committees; define freight-related research opportunities of interest to academia, government, and the private sector; and help identify potential future freight-related critical issues for U.S. Department of Transportation personnel, and other government staff, including state and MPO staff.

Advance registration expires September 24, 2007.

Correction: The September 18th TRB E-Newsletter advertised this conference as taking place on November 28-29, 2007. That was an error. The correct date for this event is October 22-23, 2007. TRB apologizes for any inconvenience.

For additional information, please see the following web link: http://www.trb.org/news/blurb_detail.asp?id=7035