

Federal Enhancement Mandate Denies States Flexibility to Address Local Transportation Needs and Priorities

Federal law requires states to spend 10 percent of funding provided from the surface transportation program (STP) for transportation enhancement (TE) activities. TE includes transportation museums, pedestrian walkways, bicycle paths, landscaping and scenic beautification, and has even included a squirrel sanctuary and a turtle tunnel.

If states do not comply with this federal mandate, the federal government “will withhold future” STP funding from states not in compliance with this mandate.

This amendment repeals the federal mandate forcing states to spend 10 percent of STP funds on niceties rather than transportation needs. This will provide states and communities the flexibility to enhance safety rather than beautification and to meet local needs rather than the whims of Washington politicians, bureaucrats and special interest groups.

Federal Transportation Enhancement Mandate Forces States to Waste Hundreds of Millions of Dollars at the Expense of Highway Safety

It has been four years since the Interstate 35W bridge in Minneapolis, Minnesota collapsed into the Mississippi River, killing 13.

In 2009, chunks of concrete fell on three vehicles on a Tulsa bridge classified as “structurally deficient,” seriously injuring one motorist.

Yet, there are still **146,633** deficient bridges in the country, according to the Federal Highway Administration.

And just this year, Secretary of Transportation Ray LaHood testified before the Senate Budget Committee that “there's a lot of lousy bridges and roads that need to be constructed.”

Yet, Congress continues to force states to divert highway funds away from repairing dangerous roads and bridges desperately in need of repair.

As a direct result of this federal mandate, more than \$886 million was spent on TE in fiscal year 2010 rather than being directed towards safety enhancements such as repairing dangerous roads and dilapidated bridges.

States should be allowed to spend their surface transportation program to repair deficient bridges and roads rather than be forced to spend limited resources on unnecessary and often wasteful enhancement projects.

Nearly \$1 billion in federal gasoline taxes are allotted for activities such as archeological expeditions, while one in every four of our nation's bridges are structurally deficient or functionally obsolete.¹

Congress should allow states to spend highway funds to enhance safety rather than forcing them to waste limited funds on so-called transportation enhancements.

States Could Continue, But Would Not Be Forced, To Spend Transportation Funds On Bike Paths And Other Enhancements

This amendment would simply repeal the federal mandate forcing states to spend their money on enhancement projects dictated by Congress and approved by unelected bureaucrats within the Department of Transportation.

If states wish to continue to spend STP funds on enhancement activities, they will continue to have the prerogative to do so, but states will have the flexibility to determine how these funds can best be spent to advance their own transportation needs.

Some states have not even been able to spend all of the transportation enhancement money they are being forced to by this federal mandate. Massachusetts, for example, has received \$135 million in federal funds for bike and pedestrian projects since 1991, of which it has spent little more than \$51 million, according to *The Boston Globe*. Meanwhile, there are more than 2,500 deficient bridges in the state.

¹Federal Highway Administration Website, "Transportation Enhancements, Apportionment FY2011," http://www.fhwa.dot.gov/environment/te/appor_res_2011.htm, accessed September 14, 2011.

Millions of Dollars of Federal Funds Have Been Wasted On Questionable And Unnecessary Transportation Enhancement Projects

At the same time as many of our nation's roads and bridges lay in disrepair, the following projects have been funded with your gasoline tax dollars:

1. **Lincoln Highway 200-Mile Roadside Museum, Pennsylvania-** The Lincoln Highway 200-Mile Roadside Museum received \$300,000 in enhancement funding to commemorate the historical roadway with several items along the 200 mile route. These funds were used for items such as "interpretive signage; engaging murals depicting the highway's heyday; and colorful vintage gas pumps painted by local artists."² The funds were also used to refurbish the pictured Coffee Pot. Notably, Pennsylvania ranks 1st out of all states for Bridge Deficiency levels, with an astounding 46 percent of bridges being either structurally deficient or functionally obsolete.³

²National Transportation Enhancements Clearinghouse, "Lincoln Highway - 200-Mile Roadside Museum, PA," http://images.enhancements.org/12-Transportation-Museums/Lincoln-Highway-200-Mile/15672186_nxxPb4#1174665561_tXJpg, accessed September 13, 2011.

³Federal Highway Administration Website, "Deficient Bridges by State and Highway System," <http://www.fhwa.dot.gov/bridge/nbi/defbr10.cfm>, accessed September 13, 2011.



2. **Chinatown Gateway-** Los Angeles, California received \$250,000 in federal enhancement funding to supplement the construction of the Twin Dragons gateway entrance to the Chinatown area. The gateway is intended to represent luck, prosperity, and longevity.⁴ As of 2010, California has over 7000 bridges that are either structurally deficient or functionally obsolete, a percentage of 29 percent.⁵

⁴ National Transportation Enhancements Clearinghouse, "Chinatown Gateway Monument, Los Angeles, CA," http://images.enhancements.org/5-Landscaping-Scenic/Chinatown-Gateway-Monument-Los/8199000_wDHrZ6#535728720_5BMx3, accessed September 13, 2011.

⁵ Federal Highway Administration Website, "Deficient Bridges by State and Highway System," <http://www.fhwa.dot.gov/bridge/nbi/defbr10.cfm>, accessed September 13, 2011.



3. **White Squirrel Sanctuary, Tennessee-** Kenton, Tennessee, located in Gibson County, proudly calls itself “The Home of the White Squirrel” because families of white squirrels live throughout the town and each year the city celebrates the special animals with the Kenton White Squirrel Homecoming. Gibson County received \$111,804 in transportation enhancement funding to construct a white squirrel sanctuary with “3,850 lf for walking trails, including brick crosswalks, foot bridge and trail head parking within Kenton to provide for the safe observation of White Squirrels.” Meanwhile, there are 3,856 deficient bridges in Tennessee. In total, this project has received \$269,404.



4. **Tuscumbia Landing Sheffield, Alabama Archaeological expedition-** Northwest Shoals Community College Received \$104,450 to investigate Tuscumbia Landing's archaeological features.⁶ Tuscumbia landing is considered to be significant because trails, steamboats, and railroads all used to travel through its location. The excavation team used historical maps, 3-d topographical maps, and ground penetrating radar to search for artifacts related to the "historically significant" site. However, currently significant is the 23 percent of Alabama's bridges that are either structurally deficient or functionally obsolete.⁷

⁶ National Transportation Enhancements Clearinghouse, "Tuscumbia Landing, Sheffield, AL," http://images.enhancements.org/10-Archaeological-Planning/Tuscumbia-Landing/11996910_t8cngP#850737397_oD7eR, accessed September 13, 2011.

⁷ Federal Highway Administration Website, "Deficient Bridges by State and Highway System," <http://www.fhwa.dot.gov/bridge/nbi/defbr10.cfm>, accessed September 13, 2011.



5. **National Corvette Museum Simulator Theater-** In 2007, the National Corvette Museum in Warren County, Kentucky received a \$198,000 transportation enhancement grant to build a Simulator Theatre.⁸ Back in reality, Corvette owners may be dismayed to know that 31 percent of the bridges they cross are structurally deficient or functionally obsolete.⁹



6. **Pennsylvania Trolley Museum-** \$400,000 in transportation enhancement funding was used to help construct the Pennsylvania Trolley Museum.¹⁰ This museum will help to preserve Pittsburgh's historical mode of transportation, while its current mode continues to wither due to missed priorities and federal mandates.

⁸ National Transportation Enhancements Clearinghouse Website, "National TE Project List," <http://www.enhancements.org/projectlist.asp>, accessed, September 13, 2011.

⁹ Federal Highway Administration Website, "Deficient Bridges by State and Highway System," <http://www.fhwa.dot.gov/bridge/nbi/defbr10.cfm>, accessed September 13, 2011.

¹⁰ National Transportation Enhancements Clearinghouse, "Pennsylvania Trolley Museum Washington, PA," http://images.enhancements.org/12-Transportation-Museums/Pennsylvania-Trolley/15000548_Dv4VTp#1120564540_2LWSJ, accessed September 13, 2011.



- Kalaniana'ole Highway, Ka'Iwi Scenic Shoreline Trail-** Federal Transportation enhancement funds were used to intervene in a local land use dispute in Hawaii. A decades long dispute over the preservation of Hawaiian shoreline versus local developmental interests was assisted by the Department of Transportation, which used \$11 million in enhancement funds to acquire land for conservation purposes, effectively meddling in the local land use.¹¹ In the mean time, 45 percent of Hawaii's bridges are either structurally deficient or functionally obsolete.¹²



¹¹National Transportation Enhancements Clearinghouse, "Kalaniana'ole Highway, Ka'Iwi Scenic Shoreline Trail O'ahu, HI," http://images.enhancements.org/3-Acquisition-of-Scenic-Hist/Kalanianaole-Highway-Ka-Iwi/13204743_znkZQH#958566517_9QCy9, accessed September 13, 2011.

¹² Federal Highway Administration Website, "Deficient Bridges by State and Highway System," <http://www.fhwa.dot.gov/bridge/nbi/defbr10.cfm>, accessed September 13, 2011.

8. **Antique bike collections-** The University of California Davis received a transportation enhancement grant of \$440,000 to purchase 60 unique antique bikes for its Bicycle Museum Collection. ¹³



9. **Shrine to Tennessee state history costs federal government \$23 million-** Nashville, Tennessee received \$23 million in federal enhancement funding to construct its bicentennial ode to Tennessee state history. The project included the building of “a 1,400-foot Wall of History etched with historic events from the state's first two centuries, 31 fountains that each represent one of the state's rivers, and a 200-foot granite state map.”¹⁴ The only thing more egregious than federal funds used for a clearly state interest, is that 20 percent of Tennessee Bridges are either structurally Deficient or functionally obsolete. ¹⁵

¹³ National Transportation Enhancements Clearinghouse Website, “National TE Project List,” <http://www.enhancements.org/projectlist.asp>, accessed, September 13, 2011.

¹⁴ National Transportation Enhancements Clearinghouse, “Bicentennial Mall, Nashville, TN,” http://images.enhancements.org/1-Ped-Bike-Facilities/Bicentennial-Mall-Nashville-TN/8742687_LJpCVr#578368839_V7zqc, accessed September 13, 2011.

¹⁵ Federal Highway Administration Website, “Deficient Bridges by State and Highway System,” <http://www.fhwa.dot.gov/bridge/nbi/defbr10.cfm>, accessed September 13, 2011.



10. **ARTwalk**- ARTwalk is tagged as a unique outdoor experience that constructs pathways between shopping areas, galleries, and museums in Rochester, Vermont.¹⁶ The project used \$234,000 in federal enhancement dollars to build the artsy outdoor museum, while 861 of Vermont's bridges remain either structurally deficient or functionally obsolete.¹⁷



¹⁶ National Transportation Enhancements Clearinghouse, "ARTwalk," http://images.enhancements.org/5-Landscaping-Scenic/ARTwalk/17914113_69dp77#1371132947_GmMWr4J, accessed September 13, 2011.

¹⁷ Federal Highway Administration Website, "Deficient Bridges by State and Highway System," <http://www.fhwa.dot.gov/bridge/nbi/defbr10.cfm>, accessed September 13, 2011.

11. **Old Roman Bath House Renovation-** \$160,000 worth of enhancement funding was used in Berkeley, West Virginia for the renovation of the oldest building in town, an Old Roman Bath House.¹⁸ While local residents may be interested in visiting a bath house where George Washington used to frequent, federal taxpayers may find the connection to critical infrastructure more puzzling. Moreover, 36 percent of West Virginia's bridges remain structurally deficient or functionally obsolete.¹⁹



12. **Saddletree Factory Renovation-** The Ben Schroeder Saddle Tree Factory, a historical factory in Madison, Indiana, received transportation enhancement funding for historical preservation purposes because the factory used to make Saddletrees, the foundation of a saddle.²⁰ 21.5 percent of Indiana's bridges are either structurally deficient or functionally obsolete.²¹

¹⁸ National Transportation Enhancements Clearinghouse, "Old Roman Bath House, Berkeley Springs, WV," http://images.enhancements.org/6-Historic-Preservation/Old-Roman-Bath-House-Berkeley/7972320_sxVZP4#517902453_AHd7C, accessed September 13, 2011.

¹⁹ Federal Highway Administration Website, "Deficient Bridges by State and Highway System," <http://www.fhwa.dot.gov/bridge/nbi/defbr10.cfm>, accessed September 13, 2011.

²⁰ National Transportation Enhancements Clearinghouse, "Ben Schroeder Saddletree Factory Madison, IN," http://images.enhancements.org/6-Historic-Preservation/Schroeder-Saddletree-Factory/16040089_s5Lb5X#1203774188_ZEGfv, accessed September 13, 2011.

²¹ Federal Highway Administration Website, "Deficient Bridges by State and Highway System," <http://www.fhwa.dot.gov/bridge/nbi/defbr10.cfm>, accessed September 13, 2011.



13. **Toledo Harbor Lighthouse-** The Toledo Harbor Lighthouse in Toledo, Ohio, protected by the “phantom” officer Frank, will receive a \$500,000 enhancement grant to restore windows, doors, bricks, and shutters.²² This grant will not only help to restore the facade of the historical lighthouse, but also carry on the legendary ghosts of the haunted lighthouse. Unfortunately, “phantom” officer Frank will not be able to protect Ohio drivers from the 6,598 bridge that are either structurally deficient or functionally obsolete.²³



²² Romaker, Janet, “Toledo Harbor Lighthouse to open for tours,” Toledo Blade, August 26, 2011, <http://www.toledoblade.com/local/2011/08/26/Toledo-Harbor-Lighthouse-to-open-for-tours.html>.

²³ Federal Highway Administration Website, “Deficient Bridges by State and Highway System,” <http://www.fhwa.dot.gov/bridge/nbi/defbr10.cfm>, accessed September 13, 2011.

14. **Critter Crossing-** The Monkton, Vermont Conservation Commission received \$150,000 in federal grant money to build a —critter crossing, to save the lives of thousands of migrating salamanders and other amphibians that would otherwise be slaughtered by vehicle traffic on a major roadway. Thousands of blue-and yellow-spotted salamanders, frogs, and other amphibians spend the winter months in the rocky uplands near Monkton, but must return to low-lying wetlands in order to reproduce.²⁴ To travel between these two areas, the salamanders must cross the heavily-traveled Monkton-Vergennes Road. While some conservationists have celebrated the project, others remain skeptical. “I certainly respect all species. However, I don’t see the need to pay \$150,000 for a salamander crossing”, read one email reportedly sent to the Burlington [Vermont] Free Press newspaper. “I realize there are a lot of other stupid things my tax dollars go toward, but this one is near the top of the list.” Maybe the local communities will prevent the critters from crossing one of the 861 bridges that are either structurally deficient or functionally obsolete.²⁵



²⁴ Vermont.gov Website, “Governor Douglas Announces \$3.8 Million in Community Enhancement Grants,” <http://www.vermont.gov/portal/government/article.php?news=1703>, accessed September 13, 2011.

²⁵ Federal Highway Administration Website, “Deficient Bridges by State and Highway System,” <http://www.fhwa.dot.gov/bridge/nbi/defbr10.cfm>, accessed September 13, 2011.

15. **North Carolina Transportation Museum Spencer, North Carolina-**

The North Carolina Transportation Museum has received over \$11 million to renovate and showcase steam locomotive artifacts.²⁶ As of 2010, North Carolina has nearly 5000 bridges that are either structurally deficient or functionally obsolete.²⁷



16. **Massachusetts bike and pedestrian allotted millions, but remain unspent** -

Massachusetts has received \$135 million in federal funds for bike and pedestrian projects since 1991, of which it has spent little more than \$51 million, according to The Boston Globe.²⁸ That means nearly two-thirds of the funds provided in the last two decades by Congress to the state for such projects remain unspent. Perhaps Massachusetts would like to use their unspent funds to work on their 2,548 bridges that are either structurally deficient or functionally obsolete.²⁹

²⁶National Transportation Enhancements Clearinghouse, “North Carolina Transportation Museum Spencer, NC,” http://images.enhancements.org/12-Transportation-Museums/North-Carolina-Transportation/16040544_gPHwx6#1203796550_5dZaz, accessed September 13, 2011.

²⁷ Federal Highway Administration Website, “Deficient Bridges by State and Highway System,” <http://www.fhwa.dot.gov/bridge/nbi/defbr10.cfm>, accessed September 13, 2011.

²⁸Wirzbicki, “\$80m in US funds for bike projects unspent in Mass,” The Boston Globe, April 19, 2009, http://www.boston.com/news/nation/washington/articles/2009/04/14/80m_in_us_funds_for_bike_projects_unspent_in_mass/.

²⁹ Federal Highway Administration Website, “Deficient Bridges by State and Highway System,” <http://www.fhwa.dot.gov/bridge/nbi/defbr10.cfm>, accessed September 13, 2011.



17. Nevada spending millions of federal transportation dollars to make Vegas highways beautiful

In 2008, Nevada received its transportation enhancement allotment of \$6,287,466. They decided to spend it in a variety of ways, a few million went to biking facilities and trails, a few million went to welcome centers and interpretive centers. \$498,750 even went for “decorative rocks, native plants, some pavement graphics, a few walls, and some great big granite boulders” to beautify an interchange to Las Vegas’ 215 Beltway.³⁰

A couple miles down the highway, N-DOT beautified another interchange with “striping in the rocks and some native plants.” That project has cost \$319,163 so far this year.³¹

The people of Nevada might have been able to think of some better things to spend that money on. One local who uses the interchange frequently was not impressed by the expensive beautification project.

³⁰ KTNV Las Vegas ABC 13, “You paid for It: Dressing up the 215 Beltway,” March 15, 2011, <http://www.ktnv.com/story/14249731/you-paid-for-it-dressing-up-the-215>.

³¹ KTNV Las Vegas ABC 13, “You paid for It: Dressing up the 215 Beltway,” March 15, 2011, <http://www.ktnv.com/story/14249731/you-paid-for-it-dressing-up-the-215>.

“I’m busy watching where I’m going. I’m not looking at landscape improvements and stamped concrete.”³²

Unfortunately, there is little that local officials can do to re-direct the money to better uses. “We applied for the federal enhancement dollars and those federal enhancement dollars can only be used for landscaping and pedestrian type improvements,” explains the top civil engineer at the Clark County Public Works Traffic Management Division.³³

The N-DOT deputy director for southern Nevada is just as frustrated as many citizens that federal restrictions prohibit states from directing money where it is really needed. “It’s really getting out of hand to where these pots of money have these constraints associated with them and you can’t spend money where you want to.” These restrictions sometimes leave states no choice but to spend money on frivolous projects or lose it entirely. The deputy director notes, “if N-DOT doesn’t spend that money and employ workers in Nevada, another state is gonna have that money up for grabs.”³⁴

18. **Washington DC receives Transportation Enhancement grants for murals and valet bikes-** Washington DC received nearly \$2 million in transportation enhancement grants in Fiscal Year 2010, ranging from \$50,000 to \$579,000.³⁵ These grants include items such as the stabilization historic murals and a grant for bicycle parking and valet services, along with the creation of a “Room to Breathe” poster. The \$2 million allotment would be much better used for bridge repair, as 158 or

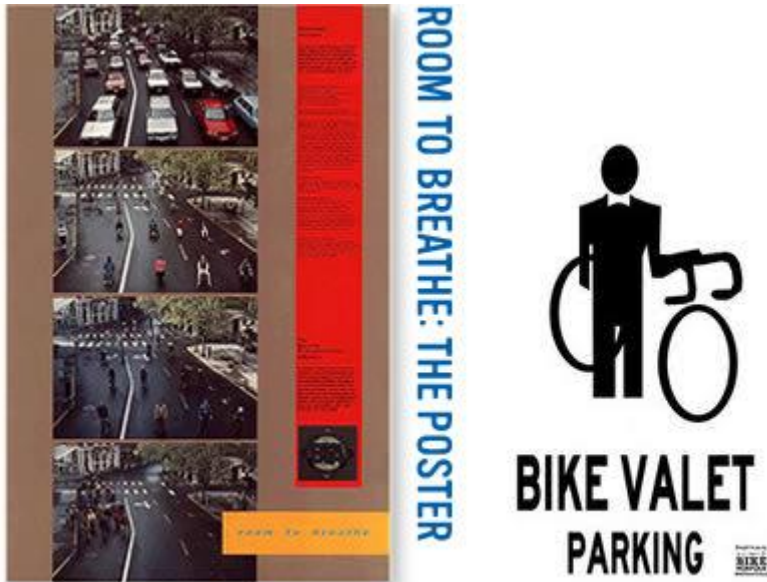
³² KTNV Las Vegas ABC 13, “You paid for It: Dressing up the 215 Beltway,” March 15, 2011, <http://www.ktnv.com/story/14249731/you-paid-for-it-dressing-up-the-215>.

³³ KTNV Las Vegas ABC 13, “You paid for It: Dressing up the 215 Beltway,” March 15, 2011, <http://www.ktnv.com/story/14249731/you-paid-for-it-dressing-up-the-215>.

³⁴ KTNV Las Vegas ABC 13, “You paid for It: Dressing up the 215 Beltway,” March 15, 2011, <http://www.ktnv.com/story/14249731/you-paid-for-it-dressing-up-the-215>.

³⁵ DC.gov, DDOT Selects Transportation Enhancement Projects, <http://ddot.dc.gov/DC/DDOT/About+DDOT/News+Room/Press+Releases/ci.DDOT+Selects+Transportation+Enhancement+Projects.print>, accessed September 13, 2011.

the 244 bridges in the District are either structurally deficient or functionally obsolete.³⁶



19. **Railroad Caboose Relocation and Renovation-** The Princeton Railroad Museum received a \$78,280 transportation enhancement grant to help pay for the relocation of a historic train caboose to be displayed and restored.³⁷

20. **Texas Highway Rest Stops-** The Texas Department of Transportation uses a substantial amount of their required transportation enhancement spending to build highway rest areas. Texas plans to spend \$262 million to build or overhaul roadside stops along its highways, with a majority of the funds coming from enhancement grants.³⁸ However, some residents question the construction of rest stops in such close proximity to other commercial areas, leading one local resident to surmise about the \$10 million Salado rest area, "I think \$10 million would have made a nice third lane in a lot of spots...It's pretty spectacular for a rest area, for, I guess, \$2 million worth...\$10 million? That's a lot of

³⁶ Federal Highway Administration Website, "Deficient Bridges by State and Highway System," <http://www.fhwa.dot.gov/bridge/nbi/defbr10.cfm>, accessed September 13, 2011.

³⁷ Jordan, Greg, "Princeton caboose hits the road today," The Bluefield Daily Telegraph, October 29, 2009, http://www.bdtonline.com/local/local_story_302221940.html.

³⁸ Dickson, Gordon, "Texas is spending big bucks on highway rest stops," Fort Worth Star Telegram, January 24, 2010, <http://www.star-telegram.com/texas/story/1918323.html>.

money." Additionally, the Texas Department of Transportation spent \$16.2 million in enhancement funding on a Battleship Texas restoration project.³⁹



21. **California Sculpture Competition-** Federal transportation enhancement dollars were used as prize money for an art competition to find a sculpture fitting to place in a parking lot for a Laguna Beach, California Friday Film Series event.⁴⁰

22. **Merchant and Drovers Tavern Museum-** The Merchants and Drovers Tavern Museum in Union County, New Jersey received \$210,790 transportation enhancement grant to create a museum on the second floor of the recently renovated building.⁴¹ The Merchants and Drovers Tavern Museum touts its amenities by letting visitors “experience the hospitality of the 1820s” and “quench his thirst in the taproom, sit for a while in the parlor or, perhaps, try a bed for size at this "hands-on" museum.”⁴² Meanwhile, visitors should also be wary of driving over any

³⁹Dickson, Gordon, “Texas is spending big bucks on highway rest stops,” Fort Worth Star Telegram, January 24, 2010, <http://www.star-telegram.com/texas/story/1918323.html>.

⁴⁰ Diamond, Barbara, “Council approves sculpture, film series,” Laguna Beach Coastline Pilot, October 30, 2009, http://articles.coastlinepilot.com/2009-10-30/news/cpt-artprojects103009_1_south-laguna-arts-commission-film-series.

⁴¹ National Transportation Enhancements Clearinghouse Website, “National TE Project List,” <http://www.enhancements.org/projectlist.asp>, accessed, September 13, 2011.

⁴² The Merchants and Drovers Tavern Museum, “History,” <http://www.merchantsanddrovers.org/executive%20board.htm>, accessed September 13, 2011.

New Jersey bridges on the way to the museum, as 35 percent of them are either structurally deficient or functionally obsolete.



23. **Museum uses transportation funds for its Heating and Air Conditioning system-** The Sayre Historical Society Museum in Bradford County, Pennsylvania received a transportation enhancement grant of \$74,704 for the “Sayre Historical Society RR Museum Heating and AC project.”⁴³ ⁴⁴ You read that correctly, American gas taxes are being directed towards heating and air installation.

24. **War of 1812, Bladensburg Maryland excavation-** Enhancement funding was used to excavate several historical buildings in Bladensburg, Maryland to study the “transportation history” of the area.⁴⁵ Bladensburg was used for troop movements during the War 1812, as well as being a transportation hub during early America.

⁴³ National Transportation Enhancements Clearinghouse Website, “National TE Project List,” <http://www.enhancements.org/projectlist.asp>, accessed, September 13, 2011.

⁴⁴ Howeller, Warren, Sayre Historical Society, “Sayre Historical Society kicks off capital campaign; GHS contributes \$50,000 to campaign,” http://www.sayrehistoricalsociety.org/events_donations.shtml, accessed September 13, 2011.

⁴⁵ National Transportation Enhancements Clearinghouse, “War of 1812 Bladensburg, MD,” http://images.enhancements.org/10-Archaeological-Planning/War-of-1812/16665606_fknhwK#1256563487_JB5zmPT, accessed September 13, 2011.



25. **\$3.4 Million for Wildlife “Eco-Passage” in Florida-** The Florida Department of Transportation is planning to spend \$3.4 million in stimulus cash for a wildlife crossing, otherwise known as an “eco-passage.” It will serve as an underground wildlife road-crossing for turtles and other animals that live in Lake Jackson, Florida. When a local columnist described this project to a friend, they said that, “FSU (Florida State University) is talking about laying off 200 people and we're protecting turtles?”⁴⁶ Over 60 species have become road kill on U.S.-, the road that the ecopassage would go under. Alligators, otters, snakes and lizards and even beavers have been killed on this stretch of road. Turtles seem to get squished more than any other species. The area has the highest road-kill mortality rate for turtles in the world. Local community activists have put up a temporary fence for the critters that reportedly works pretty well. It saves a lot of our four legged friends. The eco-passage will consist of a series of fences that will direct all the animal traffic to a 13-foot tunnel that will go under U.S. But, even though they are getting millions in stimulus funds, the permanent eco-passage is only in the design stage, and is not fully funded. It needs \$6 million and it is unclear how long it will take to get the project built.

⁴⁶ Hohmeister, Mark, “Lake Jackson Ecopassage Advances At A Turtle's Pace,” Tallahassee Democrat, January 10, 2009, <http://www.lakejacksonturtles.org/tdo010909.htm>.



26. **Funding For a Transportation Exhibit** – \$300,000 in federal money will pay for a new exhibit on the history of transportation at a local museum in Missouri. The fresh display at the St. Charles County Heritage museum will explain the influence of rivers, railroads, roads, and trails in the region over the years. The grant application highlights how “The County and its residents have had to rely on multiple forms of transportation and as technology changed, the area had to adapt to the changing transportation methods/patterns.”⁴⁷

Not everyone in the community agrees the federal government should fund this type of project. A county executive said, “It's the kind of thing the federal government can't afford to do.” Other officials however have a different perspective on the federal funding. The county parks director explained how “the \$300,000 grant is ‘a pretty insignificant amount of money compared to that total pool’ of federal transportation spending.”⁴⁸ Maybe a more significant number should be 7,021, the number of

⁴⁷ Schlinkmann, Mark, “St. Charles County gets \$300,000 in federal money for museum exhibit,” http://www.stltoday.com/news/local/stcharles/article_848bf0c6-49b2-11e0-900b-0017a4a78c22.html, St. Louis Today, March 8, 2011.

⁴⁸ Schlinkmann, Mark, “St. Charles County gets \$300,000 in federal money for museum exhibit,” St. Louis Today, March 8, 2011. http://www.stltoday.com/news/local/stcharles/article_848bf0c6-49b2-11e0-900b-0017a4a78c22.html.

Missouri bridges that are either structurally deficient or functionally obsolete.⁴⁹



27. **Valparaiso uses transportation funding for decorative lights and a restroom facility-** As part of a Central Park Plaza project, a downtown park improvement project in Valparaiso, Indiana, transportation enhancement funds are being used to construct a restroom facility.⁵⁰ Valparaiso also received a separate grant for \$625,000 to replace 71 streetlights with decorative LED lights, costing Americans nearly \$9000 per light.⁵¹



28. **Iowa town receives new entrance sign-** Fairfield, Iowa used \$40,800 in transportation enhancement funds to upgrade its “Welcome to Fairfield” sign.^{52 53} It is likely that Iowans would welcome their

⁴⁹ Federal Highway Administration Website, “Deficient Bridges by State and Highway System,” <http://www.fhwa.dot.gov/bridge/nbi/defbr10.cfm>, accessed September 13, 2011.

⁵⁰ Wieland, Phil, “Valpo puts pieces in place for park project,” Northwest Indiana Times, March 2, 2010, http://www.nwitimes.com/news/local/porter/article_1ba0caf1-eb2c-52f0-be29-f3dfa6adc7f9.html.

⁵¹ Wolf, James, D., “Ire department eyes dealing with absences from flu,” Post-Tribune, October 23, 2009, <http://www.post-trib.com/news/porter/1841511,flu-workforce-1023.article>.

⁵² National Transportation Enhancements Clearinghouse Website, “National TE Project List,” <http://www.enhancements.org/projectlist.asp>, accessed, September 13, 2011.

transportation funds upgrading their bridges, as Iowa ranks 3rd in bridge deficiency rates in America.⁵⁴



29. **Michigan Receives Transportation funds to plant flowers and rehabilitate an engine house-** In 2010, the Michigan awarded \$5 million in federal transportation enhancement grants to various projects including reconstructing cobblestone roads, purchasing and installing bicycle racks, and “streetscaping” a downtown street in Bridgetown, Michigan with “decorative sidewalk treatments, street trees, perennial flowers and other decorative plantings, planters, and ornamental street lighting.” One grant awarded \$336,490 to rehabilitate the historic Quincy and Torch Lake Railroad Engine House while another grant awarded

⁵³ Fairfield Cultural District, “About the Fairfield Cultural District,” <http://www.fairfieldculturaldistrict.org/cd.htm>, accessed September 13, 2011.

⁵⁴Transportation for America, “The Fix We’re In For: The State of Our Nation’s Bridges,” <http://t4america.org/docs/bridgereport/bridgereport-national.pdf>, accessed September 13, 2011.

\$1,490,280 to the Detroit Science Center to construct an exhibit depicting “how roads, tunnels and bridges are constructed.”⁵⁵



- 30. Transportation Funding used to replace unaesthetic fencing around Oklahoma Capitol Oil Derricks-** The Oklahoma Department of Central Services, the controller of Capitol Grounds, received \$216,000 in transportation enhancement funding to replace fencing around active oil wells on Lincoln Boulevard with a more aesthetically pleasing form of fencing. Unfortunately while Capitol Complex may look better, Oklahoma bridge deficiency rates remain 2nd in the United States.⁵⁶



- 31. Enhancement funds used on Indiana State Fairgrounds landscaping-** Nearly \$3 million in transportation enhancement funds was used to landscape and build a pedestrian walkway around the

⁵⁵Port Huron Times Michigan, “MDOT grants to pay for \$5 million in nonroad improvements,” February 22, 2010, <http://www.thetimesherald.com/article/20100222/NEWS05/100222012/MDOT+grants+to+pay+for++5+million+in+nonroad+improvements>.

⁵⁶ Transportation for America, “The Fix We’re In For: The State of Our Nation’s Bridges,” <http://t4america.org/docs/bridgereport/bridgereport-national.pdf>, accessed September 13, 2011.

Department of Natural Resources(DNR) building on the Indiana State Fairgrounds.⁵⁷ The DNR building now boasts the federally funded landscaping features including “Indiana limestone pathway, a fountain and fish ponds provide a relaxed atmosphere.”⁵⁸



32. **Santa Ana Train Station’s \$500,000 mural-** In 2002, the Santa Ana Train Station in Orange County, California received a \$375,000 transportation enhancement grant to help fund a \$500,000 mural depicting local historic events along its platform.⁵⁹

33. **Transportation funds used for reproduction Civil War cannon carriage-** Hickman County, Kentucky received a transportation enhancement grant for \$38,400 to construct a reproduction iron cannon carriage for a Civil War cannon to be displayed at the Columbus-Belmont Park.⁶⁰

⁵⁷ National Transportation Enhancements Clearinghouse Website, “National TE Project List,” <http://www.enhancements.org/projectlist.asp>, accessed, September 13, 2011.

⁵⁸ Indiana State Fair Grounds, “Venue Information: Department of Natural Resources Building,” http://www.in.gov/statefair/fairgrounds/buildings/dnr_bldg.html, accessed September 14, 2011.

⁵⁹ National Transportation Enhancements Clearinghouse Website, “National TE Project List,” <http://www.enhancements.org/projectlist.asp>, accessed, September 13, 2011.

⁶⁰ National Transportation Enhancements Clearinghouse Website, “National TE Project List,” <http://www.enhancements.org/projectlist.asp>, accessed, September 13, 2011.



34. **Over \$150,000 in Gasoline Taxes directed towards making brochures-** Over the last 10 years, federal transportation enhancement grants have been used to produce brochures for various purposes including, monuments paths, scenic trails, and bicycle safety. The State of Kansas even received a federal grant to install and replace their brochure display cases at SRA.⁶¹
35. **Enhancement funds used to help construct replica of historical schooner-** In 2001, Burlington, Vermont received \$20,000 grant to subsidize the build a full scale replica of the 1862-class sailing canal boat, the Louis McClure.⁶²⁶³

⁶¹ National Transportation Enhancements Clearinghouse Website, "National TE Project List," <http://www.enhancements.org/projectlist.asp>, accessed, September 13, 2011.

⁶² National Transportation Enhancements Clearinghouse Website, "National TE Project List," <http://www.enhancements.org/projectlist.asp>, accessed, September 13, 2011.

⁶³ Lake Champlain Maritime Museum Website, "Our Fleet: Schooner Lois McClure," http://www.lcmm.org/our_fleet/lois_mcclure.htm, accessed September 14, 2011.



36. **Crandall Farm Restoration project-** Washington County, Rhode Island received a \$120,000 transportation enhancement grant for renovation of Crandall Farm. The project consisted of renovating the 1870 house on the farm into a welcome center and educational tool for the traveling public.⁶⁴

37. **South Carolina uses gas taxes to purchase \$15,000 “Welcome Signs”-** Orangeburg County, South Carolina received a \$34,965 transportation enhancement grant to help purchase three signs at a cost of \$44,500, or \$14,833 per sign.⁶⁵ Unfortunately, South Carolina bridges are not as welcoming, as 22 percent of them are structurally deficient or functionally obsolete.⁶⁶

⁶⁴ National Transportation Enhancements Clearinghouse Website, “National TE Project List,” <http://www.enhancements.org/projectlist.asp>, accessed, September 13, 2011.

⁶⁵ National Transportation Enhancements Clearinghouse Website, “National TE Project List,” <http://www.enhancements.org/projectlist.asp>, accessed, September 13, 2011.

⁶⁶ Federal Highway Administration Website, “Deficient Bridges by State and Highway System,” <http://www.fhwa.dot.gov/bridge/nbi/defbr10.cfm>, accessed September 13, 2011.



38. The State of Michigan receives nearly \$100,000 to celebrate mysterious centennial- In 2004, Michigan received a \$99,540 transportation enhancement grant for publications, historical commemorative items, and displays for a “centennial celebration.”⁶⁷ The only thing more puzzling than how these activities are related to transportation is that the centennial for Michigan Statehood occurred in 1937.

39. Aiken, South Carolina receives transportation funding for “Junkyard Landscaping”- In 1997, Aiken, South Carolina received a \$11,856 transportation enhancement grant for “US Junkyard Landscaping.”⁶⁸

Amendment _____ — Allow States to Prioritize Critical Surface Infrastructure Needs, Such as Bridges and Highways, By Removing the Federal Mandate to Spend Transportation Funds on “Transportation Enhancements,” Such as Highway Beautification, Museums, and Roadkill Reduction Projects

By law regardless of their other pressing transportation needs, states must spend a certain percentage of their Surface Transportation Program (STP)

⁶⁷ National Transportation Enhancements Clearinghouse Website, “National TE Project List,” <http://www.enhancements.org/projectlist.asp>, accessed, September 13, 2011.

⁶⁸ National Transportation Enhancements Clearinghouse Website, “National TE Project List,” <http://www.enhancements.org/projectlist.asp>, accessed, September 13, 2011.

funding (which totals around \$6.577 billion annually) on Transportation Enhancement activities.

A 2009 GAO report on “enhancements” stated, “In FHWA’ Surface Transportation Program, 10 percent of each state’s annual apportionment must be set aside for transportation enhancement activities and made available for distribution toward enhancements.”⁶⁹

This mandate is outrageous, especially considering that it requires states with critical infrastructure needs to set aside its highway priorities for projects that are lower priority and parochial.

In FY 2010, including stimulus funds, over \$885 million was obligated for Transportation Enhancement Grants (\$571 million non-ARRA and \$315 million ARRA).⁷⁰ Additionally, funds more than \$1 billion was obligated for Transportation Enhancement Grants in FY 2009 (\$613 million non-ARRA and \$473 million ARRA).⁷¹

According to GAO, between fiscal years 2004-2008, FHWA obligated \$3.7 billion in Transportation Enhancement funds for 10,857 projects.⁷² This included:⁷³

- \$2 billion for 5,500 bike and pedestrian projects;
- \$850 million for “scenic beautification” and landscaping projects;
- \$224 million on projects to rehabilitate and operate historic transportation buildings, structures, and facilities; and

⁶⁹ GAO Report “GAO-09-729R Highway Trust Fund Expenditures on Purposes Other Than Construction and Maintenance of Highways and Bridges During Fiscal Years 2004-2008,” released July 30, 2009, <http://www.gao.gov/>.

⁷⁰ “2010 Apportionments and Obligations,” Transportation Enhancements, U.S Department of Transportation Federal Highway Administration, http://www.fhwa.dot.gov/environment/te/appor_res_2010.htm

⁷¹ “2009 Apportionments and Obligations,” Transportation Enhancements, U.S Department of Transportation Federal Highway Administration, http://www.fhwa.dot.gov/environment/te/appor_res_2009.htm

⁷² GAO Report “GAO-09-729R Highway Trust Fund Expenditures on Purposes Other Than Construction and Maintenance of Highways and Bridges During Fiscal Years 2004-2008,” released July 30, 2009, <http://www.gao.gov/>.

⁷³ GAO Report “GAO-09-729R Highway Trust Fund Expenditures on Purposes Other Than Construction and Maintenance of Highways and Bridges During Fiscal Years 2004-2008,” released July 30, 2009, <http://www.gao.gov/>.

- \$28 million to establish 55 transportation museums.

Meanwhile, according to the U.S. DOT, of the 604,474 bridges in the U.S. in 2010, 146,633 (24 percent) were deficient. This includes 69,223 (11 percent) “structurally deficient” bridges (those that show significant deterioration and have a reduced load-carrying capacity) and 77,410 (13 percent) “functionally obsolete” bridges (bridges that do not meet current design standards).⁷⁴

These figures expose a nationwide problem of deficient bridges as well as the misplaced priorities of Congress, which has focused more on funding politicians’ pet projects than improving aging infrastructure.

There are 12 eligible transportation enhancement categories in which states can use this mandatory 10% funding for:⁷⁵

1. Provision of pedestrian and bicycle facilities;
2. Provision of pedestrian and bicycle safety and education activities;
3. Acquisition of scenic or historic easements and sites;
4. Scenic or historic highway programs including tourist and welcome centers;
5. Landscaping and scenic beautification;
6. Historic preservation;
7. Rehabilitation and operation of historic transportation buildings, structures, or facilities;
8. Conversion of abandoned railway corridors to trails;
9. Control and removal of outdoor advertising;
10. Archaeological planning and research;
11. Environmental mitigation of highway runoff pollution, reduce vehicle-caused wildlife mortality, maintain habitat connectivity; and
12. Establishment of transportation museums.

⁷⁴ <http://www.fhwa.dot.gov/bridge/nbi/defbr10.cfm#c>

⁷⁵ “Transportation Enhancement (TE) funds are apportioned to the States by formula, based on amounts made available from the Surface Transportation Program (STP) under 23 U.S.C. 104(b)(3), which includes several adjustments, such as adjustments for metropolitan planning, open container and driving while intoxicated laws, highway safety, and safety belt and motorcycle helmet laws,” “Transportation Enhancement Activities Apportionments, Rescissions, and Obligations,” Department of Transportation website, http://www.fhwa.dot.gov/environment/TE/app_resc_ob.htm; GAO Report “GAO-09-729R Highway Trust Fund Expenditures on Purposes Other Than Construction and Maintenance of Highways and Bridges During Fiscal Years 2004-2008,” July 30, 2009, Page 6, <http://www.gao.gov/new.items/d09729r.pdf>.

This amendment would allow states to opt-out of the federal requirement to set aside 10% of their surface transportation funding for these “enhancement activities” and shift the funding to more pressing critical transportation needs such as repairing roads and bridges

\$28 Million to Establish 55 Transportation Museums

Another eligible area of transportation enhancement projects that states could opt out of under this amendment is the establishment of transportation museums.⁷⁶ The Federal Highway Administration obligated \$28 million to establish 55 transportation museums between fiscal years 2004-2008, according to the GAO analysis of FHWA data.⁷⁷

In its official guidance, the Federal Highway Administration notes that these “funds may be used to build a new facility, add on a transportation wing to an existing facility, or convert an existing building for use as a transportation museum.” Funds are not “intended to reconstruct, refurbish, or rehabilitate existing museums, nor portions of museums, that are not for transportation purposes” nor to cover operations or maintenance of the facility. The costs of the structure and “the purchase of artifacts necessary for the creation and operation of the facility” are allowable expenses under this category of funding, though displays, segments of buildings, or objects not directly related to transportation may not be funded with these federal enhancement museum funds.⁷⁸

In addition to the \$28 million GAO reported for transportation museum funding from FY2004-2008, in 2009 the New York State Museum received \$3.1 million in federal stimulus funds “to make mechanical upgrades to the Day Peckinpaugh,” a motorship put into service in 1921 that transported bulk cargoes between the Midwest and the port of New York. The millions in federal stimulus funds will be used for “paving the way for the historic

⁷⁶ Department of Transportation website, <http://www.fhwa.dot.gov/environment/te/>.

⁷⁷ GAO Report “GAO-09-729R Highway Trust Fund Expenditures on Purposes Other Than Construction and Maintenance of Highways and Bridges During Fiscal Years 2004-2008,” dated June 30, 2009 and restricted, released July 30, 2009, Page 7, Table 2, <http://www.gao.gov/new.items/d09729r.pdf>.

⁷⁸ “Guidance for Transportation Enhancement (TE) Activities: Establishment of Transportation Museums,” FHWA guidance, issued December 17, 1999 updated October 22, 2008, <http://www.fhwa.dot.gov/environment/te/1999guidance.htm#estab>.

canal boat's transformation into a permanent floating museum," according to the Museum's press release.⁷⁹

\$2 Billion for 5,500 Enhancement Projects on Facilities for Pedestrians and Bicycles

Since they are forced by current law to set aside approximately 10 percent of their surface transportation funds for enhancement projects, states tend to spend significant funds on bike and pedestrian paths and facilities. In fact, \$5.2 billion in federal transportation funds were spent on 15,559 bike and pedestrian projects between fiscal years 1992-2008.⁸⁰

From 1992 to 2004, states and counties implemented 10,012 bicycle- and pedestrian-related projects costing taxpayers \$3.17 billion.⁸¹ From FY2004-2008, \$2 billion was set aside for 5,547 pedestrian and bicycle facility projects.⁸²

\$850 Million for 2,772 Scenic Beautification and Landscaping Projects

\$850 million in federal transportation funds were set aside for 2,772 landscaping and other scenic beautification projects from fiscal years 2004-2008, under the mandatory transportation enhancement set-aside.⁸³ The

⁷⁹ "\$3.1 Million Grant Will Pave Way for Canal/Boat Museum," New York State Museum Press Release, April 3, 2009, <http://www.nysm.nysed.gov/press/releases/peckgrant.cfm>.

⁸⁰ "Transportation Enhancements Summary of Nationwide Spending as of FY 2008," National Transportation Enhancements Clearinghouse, May 2009, http://www.enhancements.org/download/Spending_Report/TE_Spending_Report_FY08.pdf; Cradock AL, Troped PJ, Fields B, Melly SJ, Simms SV, Gimmler F, Fowler M., "Factors associated with federal transportation funding for local pedestrian and bicycle programming and facilities," *Journal of Public Health Policy*. 2009; 30 Suppl 1:S38-72, <http://www.palgrave-journals.com/jphp/journal/v30/nS1/pdf/jphp200860a.pdf>.

⁸¹ Cradock AL, Troped PJ, Fields B, Melly SJ, Simms SV, Gimmler F, Fowler M., "Factors associated with federal transportation funding for local pedestrian and bicycle programming and facilities," *Journal of Public Health Policy*. 2009; 30 Suppl 1:S38-72, <http://www.palgrave-journals.com/jphp/journal/v30/nS1/pdf/jphp200860a.pdf>.

⁸² GAO Report "GAO-09-729R Highway Trust Fund Expenditures on Purposes Other Than Construction and Maintenance of Highways and Bridges During Fiscal Years 2004-2008," dated June 30, 2009 and restricted, released July 30, 2009, Page 6 and Table 2, <http://www.gao.gov/new.items/d09729r.pdf>.

⁸³ GAO Report "GAO-09-729R Highway Trust Fund Expenditures on Purposes Other Than Construction and Maintenance of Highways and Bridges During Fiscal Years 2004-2008," dated June 30, 2009 and restricted, released July 30, 2009, Page 6 and Table 2, <http://www.gao.gov/new.items/d09729r.pdf>.

amendment would allow states to opt out of the 10 percent enhancement set-aside and thus use transportation funds to prioritize fixing roads and bridges over landscaping projects such as planting flowers and bushes.

According to the federal agency that oversees scenic beautification projects:

“A landscaping or scenic beautification project must enhance the aesthetic or visual character of a site, corridor, or community along a surface transportation facility. The project may include plantings, vegetation management⁸⁴ (including removal of invasive plants and revegetation with native plants), or other landscaping that respects the natural heritage and regional character ... The project also may include built elements or innovative design features, including public art, to enhance the landscape.”⁸⁵

Project planners are encouraged by federal workers to consider the following “guiding questions for eligibility and viability”:

- “How does the project enhance the landscape for the traveling public?”
- “How would the project offer the traveling public a pleasing and memorable visual experience?”
- “How would the natural and built elements work in harmony to enhance the natural, aesthetic, or visual character of a site, corridor, or community along a surface transportation facility and demonstrate sensitivity to the integrity of the place and context?”
- “What best practices does the project use for vegetation management (such as using native plants and removing invasive species)?”
- “What best practices or innovative designs does the project use for built elements?”

⁸⁴ Roadside Vegetation Management website, <http://www.fhwa.dot.gov/environment/vegmgmt/index.htm>.

⁸⁵ “Guiding Principles and Questions for Transportation Enhancement Activities (cont.): Specific Principles and Questions for Each of the 12 Eligible Categories,” Federal Highway Administration (FHWA), updated September 23, 2008, http://www.fhwa.dot.gov/environment/TE/principles_pt2.htm.

- “What impact does the project have on transportation safety?”⁸⁶

While everyone enjoys a nicely landscaped highway, it is clear from the sad state of the bridges and highways in disrepair across the country, that taxpayers would be better served if states were allowed to use all transportation funding for actual transportation repairs and not for museums and landscaping activities.

States Should be Allowed to Fund Critical Infrastructure Needs Instead of Being Required to Fund “Enhancement” Projects, While Congress Continues to Bailout the Highway Trust Fund

Congress has bailed out the Highway Trust Fund three times since Fiscal Year 2008 for a total of \$35 billion.⁸⁷ Billion-dollar government bailouts are not the solution to protect our nation’s infrastructure. Congress must begin by reprioritizing funds.

Flowers, bike paths, and transportation museums, are just some of the many examples of extraneous expenditures (some of which are legally required) funded by Congress through federal transportation bills. Congress instead should allow states greater flexibility to allocate their highway dollars to their most pressing transportation needs. If Congress fails to reprioritize transportation spending, then crumbling bridges, congested highways, and poor road conditions will continue to deteriorate much to the detriment of all Americans.

As Congress continues debating how to “refill” (by deficit spending) the soon-to-be-empty Highway Trust Fund, it should first look at ways to reprioritize areas of current spending that may not reflect the realities of a decaying national transportation infrastructure. Many politicians are quick to defend spending millions in federal funds on their districts’ bike paths, transportation museums, and road-side flowers. Yet, Congress needs to evaluate whether such projects merit federal funding in light of our current

⁸⁶ “Guiding Principles and Questions for Transportation Enhancement Activities (cont.): Specific Principles and Questions for Each of the 12 Eligible Categories,” Federal Highway Administration (FHWA), updated September 23, 2008, http://www.fhwa.dot.gov/environment/TE/principles_pt2.htm.

⁸⁷ In 2008, Congress passed the first HTF bailout of \$8.017 billion from the Treasury to the HTF (P.L. 110-318). In 2009, Congress passed another for \$7 billion (H.R. 3357) and then a third one in 2010 (H.R. 2847) of \$20 billion.

trillion-dollar deficit, the economic downturn, and the realities of a collapsing transportation infrastructure that literally is costing American lives.

We should not force states to spend approximately 10 percent of all their surface transportation program funds on “enhancement” projects like landscaping, bicycle safety, and transportation museums, when fixing a bridge or repairing a road would be a more practical and necessary use of these limited funds.

Allowing states the possibility of opting out of the transportation enhancement set-aside will help address some of the states’ transportation budgetary shortfalls during this time of economic downturn. For example, Oklahoma Secretary of Transportation Ridley testified about how the transportation enhancement mandate requires states with critical infrastructure needs to set aside highway priorities for projects that are lower priority. He stated:

“when the core transportation infrastructure of this Nation has an enormous backlog of unaddressed deficiencies, we simply question the merit of mandating transportation funding for peripheral projects and programs. Programs that mandate the commitment of dedicated transportation funding to recreational and fringe activities such as bicycle and pedestrian trails, landscaping and historic preservation should be vigorously reviewed... For example, each year the mandated transportation enhancement set aside under the current law diverts an estimated \$12 million of Oklahoma gasoline and diesel tax dollars to such projects. This diversion may seem insignificant in the context of the federal transportation program, but when every deficient bridge replacement and the repair of every mile of inadequate pavement is critical, \$12 million can be a difference maker. Each state should have the latitude to decide if the eligible activities warrant the commitment of scarce resources above all other transportation needs.”⁸⁸

⁸⁸ “Improving and Reforming Our Nation’s Surface Transportation Programs,” Hearing Before the Committee on Transportation and Infrastructure U.S. House of Representatives, February 24, 2011, <http://republicans.transportation.house.gov/Media/file/TestimonyHighways/2011-02-24%20Ridley.pdf>