

REPORT OF THE

FEDERAL HIGHWAY PROGRAMS STUDY COMMITTEE

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Final Report

NOTE: This report was not in final form when presented to the Legislative Council at its December 16-17 meeting, and has therefore not been acted upon by the Council.

House Concurrent Resolution 27, approved by the First Regular Session of the Sixty-third General Assembly, required the Legislative Council to cause a legislative study to be conducted of the action required, and the most effective and practicable methods, for compliance by the state of Iowa with the Federal Highway Safety Act of 1966, the Federal Highway Beautification Act of 1965, the relocation assistance provisions of the Federal-Aid Highway Act of 1968, other mandatory federal legislation related to highway safety, beautification and construction, and mandatory federal standards and regulations under said laws.

The Legislative Council established a study committee and appointed the following members:

Senator Alden J. Erskine
Senator Floyd Gilley
Senator Vernon H. Kyhl
Senator William J. Reichardt
Senator Robert R. Rigler
Representative Dewey Goode
Representative Edgar J. Koch
Representative Eldon L. Stroburg
Representative Richard Welden

The Committee's organizational meeting was held on August 20, 1969, with Representative Dewey Goode serving as temporary Chairman. The Committee adopted rules and elected Representative Goode as permanent Chairman, and Senator Kyhl as Vice Chairman. Mr. Paul Romans and Mrs. JoAnn Brown of the Legislative Service Bureau served as staff assistants to the Committee. At this meeting members received copies of the three federal Acts mentioned in H.C.R. 27, and a Summary of Information relating to the three federal Acts, prepared by the Legislative Service Bureau.

The Committee held five meetings. At the September meeting, members met with representatives from the Iowa State Highway Commission to discuss the relocation assistance provisions of the Federal-Aid Highway Act of 1968. At the October meeting members met with Mr. Darrel L. Grice of the Office for Planning and Programming, which has made extensive studies of the requirements of the Highway Safety Act of 1966; a representative from the Iowa State Highway Commission familiar with the provisions of the

Highway Safety Act; and a representative from RCA Service Company, which offers a plan for periodic motor vehicle inspection.

On January 7, 1970 the Committee met to adopt a final report and its recommendations are as follows.

I. Federal-Aid Highway Act of 1968 - Relocation Assistance.

The Act requires that states provide relocation assistance in conformance with federal standards on all federal-aid highway projects by July 1, 1970, or be subject to a complete denial of federal funds. The federal government presently reimburses the states for all funds used for relocation assistance and will continue to do so until July 1, 1970. Iowa has been advancing such funds under authority of an Attorney General's Opinion. Beginning July 1, 1970, the federal government will contribute to relocation assistance payments in the same proportion that it contributes to the highway project involved, and statutory authority must be provided by that date in order for the state to pay its share.

In 1969 the Iowa State Highway Commission prepared a bill draft to require relocation assistance payments by the state, counties, cities, and towns. This draft incorporated requirements of the federal Act by reference. The bill was redrafted and introduced by the Senate Committee on Transportation as Senate File 684. Senate File 684 incorporated the same definitions and requirements contained in the federal Act, instead of adopting them by reference, in order to avoid possible questions of an unconstitutional delegation of power.

After studying Senate File 684, this Committee concluded that the federal Act requires conformance by the state only on federal-aid highway projects. Because most members believe the Committee's duty is only to inform the General Assembly of federal requirements, and also believe that the state should not require counties, cities, and towns to provide relocation assistance, Senate File 684 was redrafted to require conformity only by the state, and only on federal-aid projects. However, because many members also believe that the state should, so far as possible, provide such assistance to persons displaced by nonfederal-aid projects, and that political subdivisions should have authority to provide comparable assistance, section eleven was added to the bill as an additional grant of authority to the state and its political subdivisions, permitting them to provide relocation assistance similar to that required on federal-aid projects, but expressly stipulating that federal rules and guidelines need not be followed except on federal-aid projects. The revised bill, which is attached to and by this reference made a part of this Report, has received full approval by representatives of the Iowa State Highway Commission.

II. Highway Beautification Act of 1965.

It is the opinion of Committee members that Iowa has substantially complied with the provisions of this Act except in the matter of regulation of junkyards, that Iowa has done more to comply with the Act than most other states, that the federal government has few funds available at present for matching state expenditures for highway beautification, and that the General Assembly should take no further action at present in this area.

III. Highway Safety Act of 1966.

Pursuant to this Act, the Secretary of Transportation has formulated sixteen safety standards designed to reduce traffic accidents and maintain safe public highways. Further safety standards will be formulated in the future. Federal funds are available to assist the states in implementation of the programs required by the safety standards, and the Secretary of Transportation is authorized to impose a penalty of up to 10% of total federal highway funds against a state which fails to meet the standards after January 1, 1970.

It has been most difficult for the Committee to determine exactly what steps must be taken by the state of Iowa to meet compliance with the federal standards. The federal government has been rather vague in specifying the actions which must be taken by the state of Iowa. No state has been penalized for failure to comply with the Highway Safety Act of 1966 and many states have not complied with this Act to as great a degree as Iowa. For this reason the Committee is not able to make as specific recommendations as it might otherwise desire.

A brief description of the sixteen safety standards follows:

1. Periodic motor vehicle inspection - This standard requires a periodic inspection of all registered vehicles or other experimental, pilot, or demonstration programs approved by the Secretary. The owner of the vehicle must correct existing or potential conditions which cause or contribute to accidents. Iowa does not comply with this standard. Legislative and administrative action needed, see "Summary of Pertinent Information" attached to this Report, page 50, paragraph d.

2. Motor vehicle registration - This standard provides that a state shall establish a motor vehicle registration program which provides for rapid identification of each vehicle and its owner; and makes available pertinent data for accident research and safety program development. Iowa generally meets the requirements of this standard.

3. Motorcycle safety - This standard requires that a state establish a motorcycle safety program to insure that only persons physically and mentally qualified will be licensed to operate a motorcycle; that protective safety equipment for drivers and passengers will be worn; and that the motorcycle meets standards for safety equipment. Iowa meets some requirements of this standard, but further legislative and administrative action is needed. Legislative and administrative action needed, see "Summary of Pertinent Information" attached to this Report, page 52, section 3, paragraphs d and e.

4. Driver education - This standard requires each state, in cooperation with its political subdivisions, to establish a driver education and training program. Iowa complies with this standard.

5. Driver licensing - This standard requires each state to establish a driver licensing program to insure that only persons physically and mentally qualified will be licensed to operate a vehicle on the highways of the state, and to prevent needlessly removing the opportunity of the citizen to drive. Iowa meets the requirements of this standard. See "Summary of Pertinent Information" attached to this Report, page 53, paragraphs b and c.

6. Codes and Laws - This standard requires each state to develop and implement a program to achieve uniformity of traffic codes and laws throughout the state. Iowa does not comply with this standard. See "Summary of Pertinent Information" attached to this Report, page 53, section 6, subsections a, b, and c.

7. Traffic court - This standard requires each state in cooperation with its political subdivisions to establish a program to assure that all traffic courts complement and support local and statewide traffic safety objectives. Iowa meets some requirements of this standard, but further legislative action is needed. See "Summary of Pertinent Information" attached to this Report, page 54, section 7, subsections a, b, c, and d.

8. Alcohol in relation to highway safety - This standard requires each state, in cooperation with its political subdivisions, to develop and implement a program to achieve a reduction in those traffic accidents arising in whole or in part from persons driving under the influence of alcohol. Iowa meets the requirements of this standard. See "Summary of Pertinent Information" attached to this Report, page 55, section 8, subsections a, b, c, d, and e.

9. Identification and surveillance of accident locations - This standard requires each state, in cooperation with county and other local governments, to establish a program for identifying accident locations and for maintaining surveillance of those locations having high accident rates or losses. Iowa meets some

requirements of this standard, but further legislative and administrative action is needed. See "Summary of Pertinent Information" attached to this Report, page 56, section 9, paragraph d, subsections 1 and 2.

10. Traffic records - This standard requires each state, in cooperation with its political subdivisions, to maintain a traffic records system, which shall include data for the entire state, regarding drivers, vehicles, accidents, and highways. Local systems shall be compatible with the state system. Iowa meets the requirements of this standard. See "Summary of Pertinent Information" attached to this Report, page 57, section 10, subsections a, b, c, d, and e.

11. Emergency medical services - This standard requires each state, in cooperation with its local political subdivisions, to establish a program to insure that persons involved in highway accidents receive prompt emergency medical care under the range of emergency conditions encountered. Iowa meets some requirements of this standard, but further legislative and administrative action is needed. See "Summary of Pertinent Information" attached to this Report, page 58, section 11, paragraphs d and e.

12. Highway design, construction, and maintenance - This standard requires every state, in cooperation with county and local governments, to establish a program of highway design, construction, and maintenance to improve highway safety. Iowa meets the requirements of this standard, but further administrative action is suggested by the federal government. See "Summary of Pertinent Information" attached to this Report, page 59, paragraph c, subsections 1, 2, 3, 4, 5, and 6.

13. Traffic control devices - This standard requires each state, in cooperation with its county and local government, to establish a program relating to the use of traffic control devices and other traffic engineering measures to reduce traffic accidents. Iowa generally meets the requirements of this standard, but further legislative action is required. See "Summary of Pertinent Information" attached to this Report, page 60, section 13, paragraph d, subsections 1 and 2, and paragraph e.

14. Pedestrian safety - This standard requires each state to establish a program to insure the safety of pedestrians of all ages. Iowa meets the requirements of this standard. See "Summary of Pertinent Information" attached to this Report, pages 60 and 61, section 14, paragraphs d and e, subsections 1 and 2.

15. Police traffic services - This standard requires each state to establish a program to insure efficient and effective police services utilizing traffic patrols. Iowa meets the require-

ments of this standard. See "Summary of Pertinent Information" attached to this Report, page 61, section 15, paragraph e.

16. Debris hazard control and cleanup - This standard requires each state to establish a program to provide for rapid, orderly, and safe removal from the roadway of wreckage, spillage, and debris resulting from motor vehicle accidents. Iowa meets some requirements of this standard, but further administrative action is needed. See "Summary of Pertinent Information" attached to this Report, page 62, paragraph e.

The federal Act requires that the Governor of the State be responsible for administration of the program. The Office for Planning and Programming has worked with state and federal officials to plan Iowa's implementation of the safety standards, and has filed required federal reports.

It appears that there is no positive federal requirement for immediate legislation to implement the safety standards. The states must show progress in moving toward compliance with the standards. According to Mr. Darrel L. Grice, a penalty has been threatened only when a state appeared to be regressing in its compliance with safety standards. Mr. Grice has recommended legislation to implement standards one, six, seven, eight, and eleven.

Further details concerning the legislative and administrative actions recommended by the federal government are included in the Summary of Information on the Highway Safety Act prepared by the Legislative Service Bureau. A copy of the summary is attached to and by reference made a part of this Report.

Based on the information available to the Committee, it appears that standard number one, relating to periodic motor vehicle inspection, is considered a matter of paramount importance by federal officials. A number of proposals have been introduced in the General Assembly to authorize periodic motor vehicle inspections, either by state-operated inspection stations or by privately-operated inspection stations licensed by the state. In an appearance before this Committee, RCA Service Company presented a summary of its proposal for building and operating a network of inspection stations, under contract with the state. RCA Service Company also offered to conduct a study of the state to determine the volume of vehicles to be inspected, numbers and locations of needed inspection stations, and required fees for providing inspection services. Such a study would be conducted without charge to the state. Because of considerable

interest in the RCA Service Company plan for periodic motor vehicle inspection, this Committee recommends that the General Assembly adopt a Resolution authorizing RCA Service Company to conduct such a study without charge to the state. A proposed Resolution is attached to and by reference made a part of this Report.

The Legislative Service Bureau has prepared and distributed to Committee members the following materials:

1. Summary of Pertinent Information on the three federal Acts.
2. Copies of the Highway Safety Act of 1966, the Highway Beautification Act of 1965, and the highway relocation assistance portions of the Federal-Aid Highway Act of 1968.
3. Copies of Iowa Code chapter 306B, sections 319.10 through 319.13, inclusive, and section 313.67 which authorize and require compliance with portions of the Highway Beautification Act of 1965.
4. Copies of pending bills relating to highway safety.

The Service Bureau also transmitted to Committee members copies of pamphlets and materials distributed by the Iowa Department of Public Safety describing the National Uniform Standards for State Highway Safety Programs, and a memorandum prepared by the Office for Planning and Programming relating to highway safety legislation.

These materials, as well as the minutes of all Committee meetings, are available in the Legislative Service Bureau office.

FEDERAL HIGHWAY PROGRAMS STUDY COMMITTEE'S
RECOMMENDED REDRAFT OF SENATE FILE 684

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act to provide a relocation advisory assistance program
2 and relocation payments to persons displaced by highway
3 projects.

4 *Be It Enacted by the General Assembly of the State of Iowa:*

5 Section 1. As used in this Act:

6 1. "Person" means:

7 a. Any individual, partnership, corporation, or association
8 which is the owner of a business;

9 b. Any owner, part owner, tenant, or sharecropper who oper-
10 ates a farm;

11 c. An individual who is the head of a family; or

12 d. An individual not a member of a family.

13 2. "Family" means two or more individuals living together
14 in the same dwelling unit who are related to each other by
15 blood, marriage, adoption, or legal guardianship.

16 3. "Displaced person" means any person who moves from real
17 property on or after the effective date of this Act as a result
18 of the acquisition or reasonable expectation of acquisition of
19 such real property, which is subsequently acquired, in whole or
20 in part, for a highway project.

21 4. "Business" means any lawful activity conducted primarily:

22 a. For the purchase and resale, manufacture, processing, or
23 marketing of products, commodities, or any other personal prop-
24 erty;

25 b. For the sale of services to the public; or

1 c. By a nonprofit organization.

2 5. "Farm operation" means any activity conducted solely
3 or primarily for the production of one or more agricultural
4 products or commodities for sale and home use, and customarily
5 producing such products or commodities in sufficient quantity
6 to be capable of contributing materially to the operator's
7 support.

8 6. "Federal agency" means any department, agency, or in-
9 strumentality in the executive branch of the federal govern-
10 ment and any corporation wholly owned by the federal govern-
11 ment.

12 7. "Commission" means the state highway commission.

13 8. "Highway project" means any federal-aid street or high-
14 way project requiring the purchase or condemnation of private
15 property for public use.

16 Sec. 2. The commission shall provide a relocation advisory
17 assistance program, including measures, facilities, or services
18 necessary or appropriate in order to:

19 1. Determine the needs of displaced persons for relocation
20 assistance;

21 2. Assure that within a reasonable period of time prior to
22 displacement there will be available, to the extent that can
23 reasonably be accomplished, in areas not generally less de-
24 sirable in regard to public utilities and public and commercial
25 facilities and at rents or prices within the financial means of
26 families and individuals displaced, housing meeting the stan-
27 dards established by the commission for decent, safe, and sani-
28 tary dwellings, equal in number to the number of, and available
29 to, displaced families and individuals and reasonably accessible
30 to their places of employment;

31 3. Assist owners of displaced businesses and displaced
32 farm operations in obtaining and becoming established in suit-
33 able locations; and

34 4. Supply information concerning the federal housing ad-
35 ministration home acquisition program of the national housing

1 act, title twelve (12), section one thousand seven hundred fif-
2 teen 1 (17151), subsection d, paragraph two (2), United States
3 Code, the small business disaster loan program of the small busi-
4 ness act, title fifteen (15), section six hundred thirty-six
5 (636), paragraph b, subsection three (3), United States Code,
6 and other state or federal programs offering assistance to dis-
7 placed persons.

8 Sec. 3.

9 1. Upon application approved by the commission, a person
10 displaced by any highway project may elect to receive actual
11 reasonable expenses in moving himself, his family, his busi-
12 ness, or his farm operation, including personal property.

13 2. Any displaced person who moves from a dwelling who
14 elects to accept the payments authorized by this subsection
15 in lieu of the payments authorized by subsection one (1) of
16 this section may receive:

17 a. A moving expense allowance, determined according to a
18 schedule established by the commission, not to exceed two hun-
19 dred dollars; and

20 b. A dislocation allowance of one hundred dollars.

21 3. Any displaced person who moves or discontinues his busi-
22 ness or farm operation who elects to accept the payment autho-
23 rized by this subsection in lieu of the payment authorized by
24 subsection one (1) of this section, may receive a fixed reloca-
25 tion payment in an amount equal to the average annual net earn-
26 ings of the business or farm operation, or five thousand dollars,
27 whichever is the lesser. In the case of a business, no payment
28 shall be made under this subsection unless the commission deter-
29 mines that the business cannot be relocated without a substantial
30 loss of its existing patronage, and is not part of a commercial
31 enterprise having at least one other establishment, not being
32 acquired for a highway project, which is engaged in the same
33 or similar business. For purposes of this subsection "average
34 annual net earnings" means one-half of any net earnings of the
35 business or farm operation, before federal, state, and local

1 income taxes, during the two taxable years immediately preced-
2 ing the taxable year in which the business or farm operation
3 moves from the real property acquired for a highway project,
4 and includes any compensation paid by the business or farm
5 operation to the owner, his spouse, or his dependents during
6 such two-year period.

7 Sec. 4.

8 1. In addition to amounts otherwise authorized by this
9 Act, the commission shall make a payment to the owner of real
10 property acquired for a highway project which is improved by
11 a single family, two-family, or three-family dwelling actually
12 owned and occupied by the owner for not less than one year
13 prior to the initiation of negotiations for the acquisition
14 of the property. Payment, not to exceed five thousand dollars,
15 shall be the amount which, added to the acquisition payment,
16 equals the average price required for a comparable dwelling
17 determined, in accordance with standards established by the
18 commission, to be a decent, safe, and sanitary dwelling ade-
19 quate to accommodate the displaced owner, reasonably acces-
20 sible to public services and places of employment, and avail-
21 able on the private market. Payment shall be made only to a
22 displaced owner who purchases and occupies a dwelling within
23 one year subsequent to the date on which he is required to
24 move from the dwelling acquired for the highway project. No
25 payment is required if the owner-occupant receives a payment
26 required by the law of condemnation which is determined by
27 the commission to have substantially the same purpose and
28 effect as this section.

29 2. In addition to amounts otherwise authorized by this Act,
30 the commission shall make a payment to any individual or family
31 displaced from any dwelling not eligible to receive a payment
32 under subsection one (1) of this section, if the dwelling was
33 actually and lawfully occupied by such individual or family for
34 not less than ninety days prior to the initiation of negotiations
35 for acquisition of such property. Such payment, not to exceed

1 one thousand five hundred dollars, shall be the amount which is
2 necessary to enable the person to lease or rent for a period of
3 not to exceed two years, or to make the down payment on the pur-
4 chase of a decent, safe, and sanitary dwelling adequate to accom-
5 modate such individual or family in areas not generally less
6 desirable in regard to public utilities and public and commercial
7 facilities.

8 Sec. 5. In addition to amounts otherwise authorized by this
9 Act, the commission shall reimburse the owner of real property
10 acquired for a highway project for reasonable and necessary ex-
11 penses incurred for recording fees, transfer taxes, and similar
12 expenses incidental to conveying such property; penalty costs
13 for prepayment of any mortgage entered into in good faith encum-
14 bering such real property if such mortgage is on record or has
15 been filed for record under applicable state law on the date of
16 final approval by the commission of the location of such project;
17 and the pro rata portion of real property taxes paid which are
18 allocable to a period subsequent to the date of vesting of title
19 in the state, or the effective date of the possession of such
20 real property by the state, whichever is earlier.

21 Sec. 6. Payments and expenditures under the provisions of
22 this Act are incident to and arise out of the construction,
23 maintenance, and supervision of public highways and streets,
24 and, in the case of any federal-aid highway project, may be made
25 by the commission from the primary road fund and funds made avail-
26 able by the federal government for the purpose of carrying out the
27 provisions of this Act. Payments made under authority of section
28 eleven (11) of this Act may be made from the primary road fund in
29 case of a primary road project only, and in other cases may be
30 made from the secondary road fund or from appropriate funds under
31 control of a political subdivision.

32 Sec. 7. The commission may do all things necessary to
33 carry out the provisions of this Act and to secure federal
34 grants to make the payments required by this Act, but the
35 absence of federal aid to make such payments shall not dis-

1 charge the obligation to make the payments.

2 Sec. 8. Nothing in this Act shall be construed to create
3 any additional element of damage in any condemnation proceed-
4 ings for highway projects, and in order to prevent unjust en-
5 richment or a duplication of payments to any condemnee, the
6 courts of this state, when determining just compensation in
7 condemnation proceedings, shall not allow any damages which
8 duplicate any of the benefits provided under the provisions
9 of this Act.

10 Sec. 9. The commission may make rules and regulations
11 necessary to effect the provisions of this Act and to assure:

12 1. The payments authorized by this Act are fair and
13 reasonable and as uniform as practicable;

14 2. A displaced person who makes proper application for
15 a payment authorized by this Act is paid promptly after a
16 move or, in hardship cases, is paid in advance; and

17 3. Any person aggrieved by a determination as to eligibility
18 for a payment authorized by this Act, or the amount of a pay-
19 ment, may have his application reviewed by the commission.

20 All rules shall be subject to the provisions of chapter
21 seventeen A (17A) of the Code.

22 Sec. 10. Section four hundred seventy-two point fourteen
23 (472.14), Code 1966, is hereby amended as follows:

24 1. By striking lines seven (7) through fourteen (14),
25 inclusive.

26 2. By striking from line fifteen (15) the words "condemna-
27 tion and appropriation." and inserting in lieu thereof the
28 following:

29 "sheriff. At the request of the condemnor or the condemnee,
30 the commission shall divide the damages into parts to indicate
31 the value of any dwelling, the value of the land and improvements
32 other than a dwelling, and the value of any additional damages."

33 3. By inserting in line thirty-two (32) after the comma the
34 words "except moving expenses paid or required to be paid under
35 relocation assistance programs,".

Appendix II

HOUSE CONCURRENT RESOLUTION NO.

By

WHEREAS, the federal Highway Safety Act of 1966 requires each state to have a highway safety program in accordance with uniform standards promulgated by the Secretary of Transportation, and Iowa does not comply with the uniform standard which requires each state to have a program of periodic motor vehicle inspection; and

WHEREAS, the Highway Programs Study Committee established by the First Session of the Sixty-third General Assembly has studied the subject of statewide periodic motor vehicle inspection, and has consulted with a representative of RCA Service Company, which offers to provide, under contract with the State of Iowa, a statewide program for periodic motor vehicle inspection which is designed to inform motorists of defects but not to offer repair service; and

WHEREAS, RCA Service Company offers to conduct, without charge to the State of Iowa, a study to determine the number of vehicle inspection stations needed, desirable locations for the stations, and, based on these determinations, the cost of the inspection program offered by RCA Service Company; NOW THEREFORE,

BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That RCA Service Company is requested to conduct, without charge to the State of Iowa, a study to determine the number of vehicle inspection stations needed in Iowa, desirable locations for the stations, and, based on these determinations, the cost of the inspection program offered by RCA Service Company, both in terms of total contract cost to the state, and of necessary inspection fees to be paid by the vehicle owner in order to recover the state's cost.

BE IT FURTHER RESOLVED, That RCA Service Company is requested to report the results of its study to the Legislative Council and the First Session of the Sixty-fourth General Assembly.

Summary of Pertinent Information on
FEDERAL HIGHWAY SAFETY ACT OF 1966, FEDERAL HIGHWAY
 BEAUTIFICATION ACT OF 1963, AND RELOCATION AND ASSISTANCE
 PROVISIONS OF FEDERAL HIGHWAY ACT OF 1968

Prepared by the Iowa Legislative Service Bureau for the
 members of the legislative Highway Programs Study Committee

House Concurrent Resolution 27, passed by the first session of the Sixty-third General Assembly, authorizes the Iowa Legislative Council to conduct a legislative study to determine the most effective and practicable methods of achieving compliance by the State of Iowa with the Federal Highway Safety Act of 1966, the Federal Highway Beautification Act of 1963, and the relocation and assistance provisions of the Federal Highway Act of 1968.

The basic purposes of the study are, (1) to ascertain in what respects the state is now in compliance with the three designated federal highway statutes, and (2) to recommend legislation that would ensure full compliance with applicable federal standards in those areas in which compliance has not already been achieved.

The following outline is intended to summarize the purpose of each of the three federal acts to which reference was previously made, and to identify the major requirements of each and the extent to which Iowa is presently in compliance with each of these requirements.

I. Federal Highway Safety Act of 1966.

- A. The Federal Highway Safety Act is designed to achieve safer highways by setting up a national framework for cooperative, coordinated federal, state, and local traffic management programs, to be accomplished "through promulgation of Uniform National Highway Safety Standards." The Secretary of Transportation is empowered to issue guidelines with which the states are expected to comply if they desire federal funds to implement their highway safety programs.

B. Cost and Penalty.

The federal government will provide funds equal to whatever the state appropriates for each new or expanded program required by federal standards, provided the previous level of combined state and local spending for highway safety is not reduced. Failure to comply could mean the loss of 10% of all federal highway funds normally allocated to the state.

C. Federal requirements and Iowa's compliance.

The secretary of transportation has set forth a program of sixteen safety standards, designed to reduce traffic accidents and maintain safe public highways, with which the states are expected to comply by December 30, 1969.

Iowa presented its safety program, compiled by the Office of Planning and Programming, to the Director of the Highway Safety Pro-

grams office last spring. On May 20, 1969, Donald E. Trull, Director of Highway Safety Programs, sent to Iowa Commissioner of Public Safety, Jack M. Fulton, an evaluation summary of Iowa's program. Comments relative to particular standards are included in the following outline.

1. Periodic motor vehicle inspection.

a. Purpose.

"To increase, through periodic vehicle inspection, the likelihood that every vehicle operated on the public highways is properly equipped and is being maintained in reasonably safe working order . . . , thereby reducing the number of vehicle equipment failures which cause or contribute to accidents, or increase the severity of those accidents which do occur."

b. Iowa compliance.

Currently we do not comply with this standard. We have volunteer motor vehicle inspection, and we also allow our cities and towns to establish by ordinance a motor vehicle inspection. "All cities and towns shall have the power to acquire, establish, erect, equip, operate, and maintain motor vehicle testing stations therein and to pay for the same out of the allocations from the public safety fund."--Section 321.238, Code of Iowa (1966).

c. Federal comments on Iowa's proposed plan.

"The state does not meet the requirements of this standard. Iowa does not have a periodic motor vehicle inspection program. Legislation for such a program was not passed in the 1967 legislature. The state planned to introduce a periodic inspection bill in the 1969 session. Future plans are vague and will require clarification."

d. Legislation needed to ensure full compliance.

Establishment of a state-wide motor vehicle inspection system, operated either by the state or privately with state authorization, but requiring that all motor vehicles, trucks, motorcycles, etc., be periodically inspected to insure that they are in safe operating condition. There has been legislation introduced in previous sessions attempting to establish a state-wide inspection law. See Senate File 300, of the 62nd General Assembly, an Act relating to motor vehicle inspection, House File 493, of the 61st General Assembly, an Act relating to semiannual inspections of motor vehicles, Senate File 496, introduced first session 63rd General Assembly, an Act to require annual inspection of motor vehicles, and House File 704, introduced first session 63rd General Assembly, an Act relating to motor vehicle inspection.

- e. Administrative action needed to ensure full compliance.
None.

2. Motor Vehicle Registration.

a. Purpose.

To identify and describe each vehicle and its owner, and to link their experiences with the information contained in the license, accident, highway, and other data files related to highway safety.

b. Iowa compliance.

At this time our vehicle registration system is adequate in comparison with the standard.

c. Federal comments on Iowa's proposed plan.

"The state generally meets the requirements of this standard. Iowa's registration procedure results in the acquisition of the required information. The manual information system used does not meet the standard requirements, but the state has plans to develop an electronic data processing system for vehicle registration."

d. Legislation needed to ensure full compliance.

At present none.

e. Administrative action needed to ensure full compliance.

None.

3. Motorcycle safety.

a. Purpose.

To provide for safe operation of motorcycles on public roadways, with safe and proficient operators, properly maintained vehicles, and adequate administrative supervision and regulation.

b. Iowa compliance.

Iowa complies partially with licensing requirements, and has a voluntary operator's information course.

c. Federal comments on Iowa's proposed plan.

"While the Iowa program is currently minimal, current activities plus proposed legislation, if fully adopted, will provide for full implementation of this standard. The plan presented in this standard is a promising one for both cyclists and auto drivers."

- d. Legislation needed to ensure full compliance.
 - (1) Provide for an instruction or learner's permit for persons desiring to obtain a license to operate a motorcycle.
 - (2) Develop and formulate standards and requirements both for motorcycles and persons operating them.
- e. Administrative action needed to ensure full compliance.

Establish a course either in driver education or through voluntary groups, clubs, etc., for some instruction on the safe operation of a motorcycle.

4. Driver Education.

- a. Purpose.

To develop safe and efficient drivers who understand the essential facets of traffic safety programs and who participate in the traffic environment in a manner that enhances the effectiveness of such programs.

- b. Iowa compliance.

Iowa currently meets the requirement for driver education programs. "Every public school district in Iowa shall offer or make available to all students residing in the school district an approved course in driver education."--Section 321.177, Code of Iowa (1966).

- c. Federal comments on Iowa's proposed plan.

"Iowa's program substantially meets the standard requirements."

- d. Legislation needed to ensure full compliance.

None.

- e. Administrative action needed to ensure full compliance.

None.

5. Driver's Licensing.

- a. Purpose.

To make certain that all persons who desire to operate a motor vehicle are competent, capable, and qualified to drive on the public roads.

b. Iowa compliance.

Iowa currently is meeting the federal requirements in regard to this standard.

c. Federal comments on Iowa's proposed plan.

"Iowa substantially meets the standard requirements. The comprehensive review submitted by the state establishes a time frame for remedial development, but does not establish priorities. No information was provided concerning the extent to which driving without a license occurs."

d. Legislation needed to ensure full compliance.

None. (Note: The following suggestions have been offered by the Office of Planning and Programming. The Committee took no action on these recommendations, because they are not required by the federal government.)

- (1) Periodic reexamination of persons desiring to renew their license, to include written and driving test.
- (2) Placing the licensee's picture on license to aid in identification.
- (3) Strict enforcement of laws relating to license suspension.

e. Administrative action needed to ensure full compliance.

None.

6. Codes and laws.

a. Purpose.

To achieve uniform traffic safety regulations throughout the nation.

b. Iowa compliance.

Iowa's "Rules of the Road" as traffic regulations are for the most part uniform throughout the state. There are a few exceptions such as city ordinances establishing local speed limits or banning parking.

c. Federal comments on Iowa's proposed plan.

"The state's program does not conform to the requirements of this standard. Iowa reported that 'Rules of the Road' are uniform throughout the state, and that local ordinances

may not conflict with state laws. Although recognizing the need for compatibility with the Uniform Vehicle Code, no indication was given as to when the first steps in implementing this standard would be taken."

Iowa has not conducted a comprehensive study of its traffic laws and ordinances; moreover, the state does not have a permanent highway safety study committee to execute periodic overviews of the Iowa traffic laws and to offer official recommendations for legislative action." (NOTE: Iowa now has a permanent safety study committee, appointed by Governor Ray. See appendix for membership on this committee.)

d. Legislation needed to ensure full compliance.

To realign Iowa's traffic laws so as to attempt to make them uniform with the other fifty states it will be necessary to place the responsibility with a specific agency or individual, such as the Governor or Safety Commissioner, to work with the other states designated officials in this area.

e. Administrative action needed to ensure full compliance.

A study of the Uniform Vehicle Code could be made by the Department of Public Safety.

7. Traffic Court.

a. Purpose.

To assure prompt and impartial adjudication of proceedings involving alleged violations of traffic laws.

b. Iowa compliance.

The state partially meets this standard; however, there are two things the federal government would like to see accomplished, as noted in the following paragraph.

c. Federal comments on Iowa's proposed plan.

"Iowa partially meets the standard requirements. The state should seek legislation to provide for the elimination of the 'fee' features of some courts. Better methods of supervision, and the development and distribution of a procedural manual will contribute greatly to progress toward meeting the standard requirement."

d. Legislation needed to ensure full compliance.

(1) Abolish the fee system, under which a judge retains a portion of the fine or costs which he assesses against a traffic violator who pleads guilty or is convicted in the judge's court.

(2) Provide administrative personnel from some agency or body to inspect the operation of the lower court system in regard to procedure and workload and provide written material by way of manuals and guidelines to achieve uniformity throughout the state.

e. Administrative action needed to ensure full compliance.

None.

8. Alcohol in relation to highway safety.

a. Purpose.

(1) To provide accurate information on the extent to which the immoderate use of alcohol is a factor in highway accidents, to serve as the basis both for resource allocations and for determining the effects of countermeasures.

(2) To broaden the scope and number of state wide activities directed toward reducing highway crashes arising in whole or part from persons driving under the influence of alcohol.

b. Iowa compliance.

(1) Implied consent law.

(2) Providing chemical tests for drivers and upon the bodies of drivers suspected of drunken driving.
(H.F. 207, 63rd General Assembly)

c. Federal comments on Iowa's plan for compliance.

"The state is partially in compliance with the requirements of this standard. Iowa has an implied consent law, but has no chemical test law which establishes the blood alcohol concentration level to define a violation or create a presumption." (NOTE: H.F. 207, passed by the first session of the 63rd General Assembly, establishes 0.10% concentration of alcohol in the blood of any person as evidence that the person is under the influence of alcohol, and therefore legally disqualified to operate a motor vehicle.)

d. Legislation needed to ensure full compliance.

None.

e. Administrative action needed to ensure full compliance.

None.

9. Identification and surveillance of accident locations.

a. Purpose.

Promote systematic analysis of the losses experienced in motor vehicle accidents, and thereby assist highway engineers and law enforcement and other safety program officials in focusing available resources upon corrective measures with highest priorities and most likelihood of producing significant improvements.

b. Iowa compliance.

Iowa has a program for identifying accident locations and for maintaining surveillance of those locations having high accident rates or losses. This is done through the Iowa Highway Patrol, Highway Commission, and the various county and city police departments.

c. Federal comments on Iowa's proposed plan.

"The Iowa program is at least partially responsive to this standard. The present status of the state is difficult to determine, but the state recognizes its deficiencies and has developed a program to meet the standard requirements which is too indefinite as far as specific programming to accomplish full implementation. Not included in their planned activities was a systematic program for correcting high accident locations."

d. Legislation needed to ensure full compliance.

(1) A state-wide system operating in the Department of Public Safety for pinpointing high accident locations on secondary roads and urban streets. This information would be available to the Highway Commission and others when proposing new roads or remodeling old ones.

(2) A state-wide traffic record system.

e. Administrative action needed to ensure full compliance.

(1) Guidelines should be provided from state to local political subdivisions for appropriate methods of maintaining accident records.

(2) Analytical teams from the Department of Public Safety should be established to review high accident rate locations on the primary highway system, and on all other systems upon request.

- (3) The Iowa State Highway Commission should increase its traffic engineering staff in order that complete before-and-after accident studies can be completed at all locations where spot or major improvements have been accomplished.

10. Traffic Records.

a. Purpose.

To provide appropriate data on traffic accidents, drivers, motor vehicles, and roadways so that such data will be available for planning and implementing at state and local levels.

b. Iowa compliance.

The Department of Public Safety has a traffic information system which provides for the collection, processing, storage, analysis, and dissemination of appropriate data on drivers, accidents, motor vehicles, and roadways. The Federal Highway Administration has earmarked \$844,675 to the state for establishment of a total traffic records system. Officials said \$271,551 will be obligated now with the balance--\$573,223--to be suspended pending availability of fiscal 1970 funds.

c. Federal comments on Iowa's proposed plan.

"The submission is complete insofar as the standard is concerned indicating what is now available and the plans to improve the data gathering system so that it can be used in the decision making process."

d. Legislation needed to ensure full compliance.

None.

e. Administrative action needed to ensure full compliance.

None.

11. Emergency Medical Services (E.M.S.).

a. Purpose.

To insure that victims of traffic accidents receive prompt and adequate emergency care.

b. Iowa compliance.

- (1) Placing twenty-five emergency vehicles in counties and cities which are in need of them.
- (2) Legislation is pending which would regulate emergency vehicles, equipment, drivers, and attendants. (House File 574 by Representative Pelton and House File 402 by Representative Mezvinsky, both bills were introduced first session of the 63rd General Assembly.)

c. Federal comments on Iowa's proposed plan.

"Iowa's program is partially in conformance with the requirements of this standard. The state has made, without federal assistance, two in-depth studies of its ambulance service, and the information is available to aid in planning. Their plans do not, however, include training and licensing of dispatchers and rescue vehicle operators."

d. Legislation needed to ensure full compliance.

- (1) A supporting E.M.S. coordinator and staff assistants either in a separate agency or in an existing state department.
- (2) Training and licensing of E.M.S. personnel and equipment. (Legislation now pending, H.F. 574 and H.F. 402.)

e. Administrative action needed to ensure full compliance.

- (1) Training programs for personnel involved in traffic control, construction, or maintenance.

12. Highway Design, Construction and Maintenance.

a. Purpose.

To assure that existing streets and highways are maintained in a condition that promotes safety; that capital improvements either to modernize existing roads as to provide new facilities meet approved safety standards; and to ensure appropriate precautions are taken to protect passing motorists as well as highway workers from accident involvement at highway construction sites.

b. Iowa's compliance.

The state's regular standing program of highway design, construction, and maintenance is deemed

adequate to improve highway safety. The authority for establishment, design, construction and maintenance rests with the respective government agencies having jurisdiction of the various highways, roads, and streets.

c. Action suggested by the federal government, but not required.

- (1) Guidelines and standards should be established for design criteria for urban streets which would include safety features for motorists, for pedestrians and occupants of out-of-control vehicles that leave the roadway.
- (2) A revised lighting priority list for primary highway junctions should be established.
- (3) A statewide, all systems, skid resistance testing program should be established.
- (4) Training programs for personnel involved in traffic control, construction or maintenance.
- (5) Reevaluate Iowa railroad crossing formula, so as to include accident history.
- (6) Establish a design review team that will review all new construction, at least on our primary highway system, and to provide recommendations for future design.

13. Traffic control devices.

a. Purpose.

To assure the full and proper application of modern traffic engineering practice and uniform standards for traffic control devices in reducing the likelihood and severity of traffic accidents.

b. Iowa compliance.

The state has a program relating to the use of traffic control devices and other traffic engineering measures. The authority for placement of traffic control devices on primary highways rests with the Iowa Highway Commission. Each political subdivision acts independently in establishing its own program on traffic control devices.

- c. Federal comments on Iowa's proposed plan.

"The state's program indicates substantial conformance with the requirements of this standard. Current and planned activities appear adequate for a comprehensive state-wide plan."

- d. Legislation needed to ensure full compliance.

- (1) Section 321.255, Code of Iowa (1966), should be changed to stipulate responsibility for elimination of nonuniform traffic control devices.
- (2) A state-wide, all systems, traffic control device needs and deficiency study and inventory should be considered.

- e. Administrative action needed to ensure full compliance.

A state-wide continual systematic inventory, which includes engineering and traffic investigations, should be considered for use in establishing speed limits on the primary highway system.

14. Pedestrian safety.

- a. Purpose.

To emphasize the need to recognize pedestrian safety as an integral, constant, and important element in community planning and all aspects of highway transportation.

- b. Iowa compliance.

The state has a pedestrian safety program with responsibility distributed through the Department of Public Safety, Department of Public Health, and various local agencies.

- c. Federal comments on Iowa's proposed plan.

"Iowa is only minimally responsive to the standard. There are some elements of the program for which no action is reported, or no need recognized. A generalized time schedule and some financial data is included. There is an on-going program of contacts and discussion between state and local officials. No plans were reported for land use plans review, driver familiarization with pedestrian problems, or protection of children at play."

- d. Legislation needed to ensure full compliance.

None.

- e. Administrative action needed to ensure full compliance.
 - (1) An in-depth study of the pedestrian safety problem, program resources, objectives, responsibilities, and program effectiveness.
 - (2) Stricter enforcement of jaywalking laws.
 - (3) Implementation of K-12 safety curriculum in local school districts. This is a new and updated course in pedestrian and motor safety made available by the federal government.

15. Police Traffic Service.

a. Purpose.

To reduce the deaths and injuries by improving police traffic service in all aspects of accident prevention programs and police traffic supervision, with post-accident procedures to aid crash victims and to bring those responsible for the accidents to justice.

b. Iowa compliance.

Iowa has a state police traffic service existing within the Iowa Highway Patrol, in addition to traffic control activities of local political subdivisions.

c. Federal comments on Iowa's proposed plan.

"Iowa's program is partially in conformance with the requirements of this standard. The state and some of the political subdivisions are implementing some of the standard requirements. Deficiencies have been identified; however, no priorities or time schedule have been indicated."

d. Legislation needed to ensure full compliance.

None.

e. Administrative action needed to ensure full compliance.

None.

16. Debris hazard control and cleanup.

a. Purpose.

Prompt restoration of the scene of a traffic accident to a safe condition, to remove the additional hazards at

such locations, to relieve congestion, and to assure resumption of normal traffic flow.

b. Iowa compliance.

Maximum effectiveness of the Iowa accident cleanup functions ultimately requires full cooperation and coordination among a broad variety of public and private agencies, services, and organizations. At present Iowa is meeting this requirement.

c. Federal comments on Iowa's proposed plan.

"The state's program is in partial conformance with the requirements of the standard. First stage planning is underway. Full implementation is five years off."

d. Legislation needed to ensure full compliance.

None.

e. Administrative action needed to ensure full compliance.

Develop standards and criteria of performance relative to organization, operation, performance, personnel, and training.

(NOTE: The Office of Planning and Programming has done considerable work on the Federal Highway Safety Act in regard to Iowa's compliance. It has indicated to the Legislative Service Bureau that standards one, three, six, seven, and eight are considered the most important by the federal government, which would like to see some action taken with respect to full compliance on these standards by January 1, 1970.)

II. Federal Beautification Act of 1965.

A. Purpose.

The Highway Beautification Act is intended to promote scenic development and beautification of the federal-aid highway systems, through establishment of regulations controlling:

1. Outdoor advertising on the interstate and primary highway systems.
2. Junkyards.
3. Landscaping and roadside development.

B. Costs

75% federal, 25% state matching is provided in the advertising and junkyard sections of the Act. In addition a penalty of 10%

reduction in the total federal aid funds normally allocated to the state could be assessed, if Iowa fails to comply with both regulations.

C. Iowa compliance.

1. Chapter 306B, Code of Iowa (1966), controls advertising on the interstate system, but does not pertain to the primary highway system. Sections 319.10, 319.11, and 319.12 regulate advertising on primary roads and there is some concern as to their conformance with federal regulations.
2. Section 313.67, Code of Iowa (1966), creates a primary road scenic and improvement fund.

D. Legislation needed to ensure full compliance.

1. Check Code on primary road advertising to determine if it is adequate.
2. Formulate and enact laws regulating junkyards.

E. Administrative action needed to ensure full compliance.

None.

III. Relocation and Assistance.

A. Purpose.

To provide relocation payments and advisory assistance to all persons displaced by highway programs, in accordance with the provisions set forth in the relocation and assistance section of the Federal Highway Act of 1968.

B. Iowa's compliance.

There is legislation pending that would implement this program. Senate File 684 by Committee on Transportation would provide assistance payments to those persons displaced by highway relocations. Also a copy of the Iowa Highway Commission's proposed bill to implement this program is attached.

C. Legislation needed to ensure full compliance.

At this point, passage of S.F. 684. However, there is some concern on the part of the Highway Commission that old condemnation laws might conflict with S.F. 684.

D. Administrative action needed to ensure full compliance.

None.