Evaluating the Attempt by the Clean Air Act and ISTEA to Transform our Transportation System: A Rhode Island Case Study

by

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Abstract

In 1990, the federal government passed amendments to the Clean Air Act with the intent of redressing the failures of the 1970 and 1977 Amendments. Congress recognized that an essential deficiency of the previous laws involved EPA's inability to affect transportation policy and planning which could have stemmed the growth of total vehicle miles traveled (VMT). While technological improvements over the past two decades have drastically decreased automobile emissions per vehicles, total VMT has risen by approximately 2.5% a year since 1970 and has offset much of the air quality improvements. By 1990 it was perfectly clear that the transportation control and transportation planning elements of the previous law were wholly inadequate. The 1990 Amendments recognized the need to reduce VMT growth and sought to alter the institutional and political arrangements which frustrated the attempts of the previous Act to change transportation policy.

In December of 1991 and in part to support this objective, Congress passed the Intermodal Surface Transportation Efficiency Act (ISTEA), a transportation bill which both alters federal spending priorities and attempts to drastically change how transportation planning is carried out. Not only did ISTEA create the largest pool of money ever ($155 billion over six years) for highway and transit projects, but the legislation shifted national policy objectives away from highway construction towards a more balanced vision, one which includes increased funds for mass transit, congestion mitigation, and air quality improvement projects. In addition, ISTEA specifically mandated an increased role for Metropolitan Planning Organizations (MPOs) in the transportation planning and project selection process.

In this thesis, I evaluate the implementation of these two laws in the State of Rhode Island and consider their effect on reducing VMT growth in the State. While it still may be too early to make final judgments, my research suggests that the laws will not in fact produce the kind of transportation changes that they envision. While the 1990 Amendments do boast some significant improvements over the previous Acts, many of the institutional and political barriers which stymied efforts in the 1970s persist today. Specifically, professional norms within the transportation engineering and planning profession, insufficient agency resources, and political and economic agendas which contradict the goals of the Clean Air Act have all worked to undermine the Law's success.

While the State of RI, to date, has implemented all of the requirements of both laws, it has not begun to prepare itself for the difficult decisions that it will have to make in the near future. In its 1994 State Implementation Plan (SIP) submittal, the State must demonstrate how it plans to reduce VOC emissions by 3% a year until 1999. Yet, its 1993 Transportation Improvement Program projects spending a majority of the state's future transportation funds on capacity enhancement projects and its Long Range Transportation Plan forecasts no increases in mass transit funding over the next two decades. In addition, the Planning Council (the State's MPO) and the Department of Transportation have not begun to evaluate possible transportation control measures that will likely be required in the coming years.

Rhode Island's current situation suggests that the Sate will not meet future Clean Air Act deadlines. While the law mandates that the EPA withhold federal highway funds from states

which fail to comply with the law, given the likelihood of widespread resistance and the history of EPA and Congressional willingness to backdown on air-quality goals when major objections are raised by states, it is probable that the significant transportation reform envisioned by the two laws will not be achieved.

Despite these dire predictions, there is much that cities, the State, and the federal government can still do to improve the likelihood for ultimate success. City officials and the general public should become more knowledgeable about ISTEA and the Clean Air Act so that they can take full advantage of their provisions. State officials should expand participation in the transportation decision-making process and State agencies should open their project selection process to greater public scrutiny. While state and local action can certainly be taken to increase the likelihood of funding more alternative transportation mode projects and adopting some transportation control measures, it is the federal government which is in the best position to reduce our dependence on the automobile. It seems that only by raising the federal gas tax or adopting other measures to decrease the automobile-driver-subsidy that has long been an American tradition, can we hope to make significant headway in reducing the seemingly insatiable demand for SOV travel.