

CENTER ON URBAN AND METROPOLITAN POLICY

The Need for Regional Anti-Congestion Policies

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Traffic congestion is essentially a regional phenomenon requiring regional approaches to mitigate its impacts. This brief examines the governance options necessary to act regionally and the conditions required to implement such policies. Currently, the reauthorization of the federal transportation spending bill (TEA-21) presents a unique opportunity to build on previous reforms and increase the decision-making power of regional metropolitan planning organizations (MPOs).

I. Introduction

veryone hates traffic congestion. It wastes time and fuel and adds to air pollution. It also generates widespread frustration that, at its extreme, can result in violence induced by "road rage." Congestion is especially aggravating because all attempted remedies seem to fail: traffic delays keep getting worse. This violates the axiom of American culture that all problems have solutions. "Why don't they do something about it" is an often heard outcry.

Why *don't* they solve this problem?

Because rising traffic congestion is an inescapable condition in nearly all large and growing metropolitan areas throughout the world, from Los Angeles to Tokyo, from Washington to Paris, from Atlanta to Sao Paolo. Peak-hour traffic—that is, rush hour traffic congestion—is an inherent result of the way modern societies operate, due to the widespread desires of their residents to pursue certain goals that inevitably overload existing roads and transit systems every day.

Nevertheless, there is enormous public pressure to do something about traffic. But traffic congestion is a condition embedded in the basic structure of American cultural values, governance institutions, economic organization, political beliefs, and life-style preferences. So "doing something about it" requires launching a multi-faceted set of actions on many fronts simultaneously. Even just trying to describe what kinds of actions might have some impacts is complicated.

To start, congestion can be tackled by either supply-side or demand-side tactics.

Supply-side tactics include increasing road capacity, increasing transit capacity, and better managing incidents and accidents. In short, these tactics are designed to expand the means that travelers can use for commuting and other trips. They are implemented by public agencies such as state departments of transportation (DOTs).

Demand-side tactics are designed to reduce or manage the number of persons or vehicles traveling during peak periods, or change the mode or length of the trip. They include pricing and market-oriented strategies, land use policies such as concentrating jobs in clusters, increasing residential densities, and changing the jobs/housing balance and local growth management policies. Local and state governments have the primary responsibility for these measures.





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The problem with both of these groups of strategies is not in the tactics themselves but in the manner in which they are implemented. Traffic flows are regional in nature, not local or statewide. Only the coordination of transportation improvements with land use planning on the regional or metropolitan level could result in the most rational policies toward congestion. That is one of the reasons Congress established metropolitan planning organizations (MPOs) to oversee surface transportation planning in major metropolitan areas.

But effective anti-congestion policies also involve many elements other than the planning and creation of new infrastructure elements. Examples are converting two-way streets into a system of one-way streets, coordinating traffic signals, using ramp metering to control vehicle flows onto expressways, adopting taxes or other regulations concerning parking during peak hours, changing residential density patterns in new-growth areas, adopting tax breaks that encourage high-density in-fill development or redevelopment of older neighborhoods, and managing a system of roving patrols on expressways that quickly remove accidents or stalled vehicles from traffic lanes. Other forms of regional organizations besides MPOs are necessary to establish and manage these and other similar tactics aimed at reducing traffic congestion across a region.

The reauthorization of the federal transportation law, the Transportation Equity Act for the 21st Century (TEA-21) presents an excellent opportunity for Congress to respond to the growing demand for congestion relief. This brief is intended to put some geographic context to the debate around traffic congestion by exploring institutional forms for carrying out congestion-relieving tactics. In the end, it recommends adopting truly regional policies dealing with key aspects of the many forces affecting traffic congestion.

II. Background: The Capacity for Regionalism Today

cross America, interest in potential regional remedies to various community problems has risen sharply in the past decade.² More and more, citizens, government officials, and other observers are becoming convinced that the predominant governance system in American regions—consisting of many small, highly fragmented local governments—is not capable of dealing with a variety of problems effectively.

These problems include air pollution, a widespread shortage of affordable housing, lack of open space, rising infrastructure costs and higher taxes to pay them, inadequate public schools in many large cities, and continuing isolation of the poorest households in deteriorating inner-city neighborhoods—and rush hour traffic congestion.

The problems themselves are too spread over each region as a whole, and interconnected across too many localities in each region, to be effectively dealt with by individual governments acting separately. Since the dominant system is not working well, perhaps it is time to explore some other system. The major alternative is some type of "regionalism" or "metropolitanism."

Many tactics that would be effective in counteracting peak-hour traffic congestion similarly cannot be carried out by individual local or state governments. These tactics require regional design, implementation, or administration (where "regional" refers to an entire metropolitan area). In most U.S. metropolitan areas, however, no effective regional governmental agencies exist. Moreover, local governments frequently oppose the creation of such agencies.³

TEA-21 and its predecessor, 1991's Intermodal Surface Transportation Efficiency Act (ISTEA), sought through devolution to better align the geography of transportation decision making with the geography of regional economies, commuting patterns, and social reality. To do that the laws undertook to enlarge the responsibility of the MPOs it had brought into being in 1962. Although these regional bodies were originally research organizations charged with advising state DOTs, Congress charged MPOs with developing coordinated plans for uses of federal and other ground transportation funds within each region, and for overseeing what happened to those plans.⁴



This was surely an appropriate course of action. The need to coordinate the planning and construction of new ground transportation facilities at the regional level is blatantly obvious because so many personal and vehicle movements within each region cross jurisdictional boundaries. However, the powers to implement those plans were left in the hands of other agencies—particularly state DOTs.

In the past, state DOTs acted as the main regional coordinators in the absence of other formal integration mechanisms. But that approach suffered from serious drawbacks. It focused almost entirely upon roads, usually ignoring public transit, walking, and bicycles. It often failed to include any systematic way to receive or evaluate requests from individual localities for projects within their boundaries. It also frequently did not take into account the reactions of localities to proposed projects that would pass through their territories. It had no effective means of coordinating new transportation infrastructure with proposed new land-use developments or future growth areas, or with local growth control or growth management policies. It often lacked formal mechanisms for soliciting and responding to citizen views about proposed projects. It rarely had any formal mechanisms for coordinating the policies of highway departments in adjoining states when a region encompassed land within more than one state.

In recognition of these shortcomings, Congress expanded previously-created MPOs and charged them with creating regionally-integrated plans for future ground transportation infrastructure projects. This goal seems clear, but achieving it effectively is extremely difficult. As urban economist George Sternlieb was fond of saying, "The words drip easily from the lip, but putting them into practice is something else." Regional intermodal planning of such a multi-faceted activity as ground transportation is an extraordinarily complicated and difficult process, especially in a democracy that emphasizes citizen participation. Making that process work effectively will take many years of experience, flexible experimentation, and outstanding leadership—if it can be done even then.

Most large regions and many small ones have created MPOs. Each MPO has, in turn, launched a regionally-coordinated ground transportation investment planning process. This process is designed to formulate, evaluate, develop consensus for, and adopt plans for constructing or modifying specific ground transportation projects throughout its region. Since many of those projects will have crucial impacts upon future levels of traffic congestion within the region, MPOs are a vital part of creating effective anti-congestion policies at the regional level.

Anti-congestion policies adopted by only one community are not likely to be very effective—even within its boundaries—unless they are closely coordinated with similar policies adopted in most other communities nearby. Regional implementation is particularly important for policies focusing on peak-hour road pricing. No local government could reduce congestion throughout a region by adopting peak-hour road pricing solely within its own boundaries. Regional implementation would also be vital in establishing a network of high-occupancy vehicle (HOV) lanes, keeping average settlement densities in areas of new growth above some minimal level, building new roads or expanding existing ones, creating "cash out" programs concerning employers who provide free employee parking, and raising gasoline taxes.

True, a few remedies could be effectively carried out by individual local governments acting alone. For example, a single local government with a large territory can coordinate traffic signals on its main streets, institute systems of one-way streets, pressure developers and employers in large job centers to establish traffic management associations, and create roving response teams to clear roadways quickly after traffic accidents. But all these tactics would also be much more effective if implemented consistently throughout a metropolitan area.

Furthermore, traffic congestion could best be attacked by using several complementary tactics simultaneously. For example, improved traffic signal coordination could be linked to rush hour road pricing so that traffic diverted from new toll roads would flow efficiently on nearby free-access roads.



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Although it is quite clear that the present fragmented powers system is not working well, regional remedies are still rather limited. This is because certain aspects of such remedies rouse strong opposition to their enactment and have hindered their evolution. Therefore, few places have adopted them long enough to test whether they are in fact superior to fragmented governance. The next section discusses some shortcomings and challenges with efforts to address congestion on the regional level.

III. Regional Efforts to Combat Congestion: Challenges and Opportunities

A. The Complexity of Regional Approaches

Tackling problems at the regional level in a democracy involves extremely complex and difficult activities—more difficult than those required to operate our present fragmented governance system. Many more divergent interests must be consulted and persuaded to cooperate than is the case with local governments acting separately. So the politics of achieving consensus on effective policies is much more complex and time-consuming at the regional level. Coping with problems at the regional level also involves technically more complex policies than those confined to the local level. Hence the personal and leadership skills and technical abilities required to make regionalism work are hard to find.

Kathryn Foster summarizes what has been learned so far about the effectiveness of regional arrangements of all types as follows:

"Governance systems based on many local governments tend to promote participation and have lower service costs than do regionalized systems. Evidence remains inconclusive that regionalized governance systems are necessarily superior to localized ones in achieving equity or economic growth, although conventional wisdom and perception favor regional arrangements."

Simply because a transportation plan is regionally developed by representatives from specific parts of each metropolitan area does not necessarily mean they will arrive at socially equitable distributions of the funds they are responsible for allocating. Just because a person living in one part of a region, and chosen to represent that part on a regional agency, is now serving on a agency with region-wide responsibilities is no guarantee that this person will actually adopt a truly regional perspective, rather than narrowly representing the parochial interests of his or her own district. For one thing, newly developing suburban areas often have transportation needs that differ radically from those of central cities. While some suburban areas clamor for increases in road and transit capacity, central cities often desperately need maintenance and renewal of existing facilities.⁸

However, since suburban portions of most metropolitan areas have larger representation on regional bodies such as MPOs, they are able to craft regional transportation plans that focus on expanded and new transportation infrastructure, rather than rehabilitation or repairs. Indeed, a 1994 study found that nearly 8 out of 10 center cities were underrepresented on the boards of their local MPOs in terms of voting power. That is, the voting strength of the center city was lower than the city's percentage share of MPO area population. Further, very few MPOs grant any type of voting power to non-geographic entities such as transit agencies, port authorities, or environmental agencies. As a result of these distortions, Martin Wachs and Jennifer Dill believe that:

"Transportation funds have almost always been more available from both state and federal sources for capital investments—new roads and transit lines—than for maintenance, repair, or system operations. Thus, we believe that the transportation system has been "overcapitalized." More money has been spent on new facilities and equip-



ment than would have been the case had monies been fungible between capital, operations, and maintenance applications."

The main beneficiaries of new roads and transit lines have been suburbanites, who have higher average incomes than city dwellers, the main users—and fare-payers—on public transit systems. After examining the redistributive impacts of state gas tax funds used for transit operations in the San Francisco Bay area, Brian Taylor found that:

"The larger, inner-city transit operators in the Bay Area carried the overwhelmingly largest share of the passengers and received a dramatically smaller share of the program's resources. Conversely, smaller, more localized suburban transit operators received a far larger proportion of the subsidy dollars under this program than their regional share of transit ridership might suggest they ought to receive."

B. Uncertainty About Regionalism's Effectiveness

This situation means that creating effective regional remedies for traffic congestion and other urban ills is still an emerging process, with uncertain prospects concerning which such remedies to which problems will prove definitely superior to existing fragmented governance. Right now, the situation is analogous to the singing contest in a mythical kingdom which had been narrowed down to two final contestants. The king was to make the final judgment about who would win. Immediately after hearing the first contestant sing, the king awarded the prize to the second contestant—without hearing the latter! Many citizens contemplating existing regional problems are similarly concluding that present fragmented remedies are so bad that regional ones are bound to be better—without yet having tried the latter.

Therefore, although this brief recommends trying many regional traffic-congestion remedies for the same reason, it is important to recognize the somewhat tentative and experimental nature of those recommendations. Regional remedies are worth trying, but there is as yet no guarantee how effectively they can be made to work.

C. The Herculean Tasks Congress Has Assigned to MPOs

The difficulty of this process is clear from the requirements Congress established for MPOs. Congress declared that each MPO must:

- Create a long-range, 20-year strategic plan for regional transportation investment, taking into account all modes of ground movement—roads, transit, walking, and bicycles—and including both passenger and freight movements.
- Create a short-range, current program of specific transportation improvement projects (TIP) that had been evaluated as the best feasible alternatives and subjected to a process of citizen participation.
- Establish widespread regional consensus supporting both the long-range plan and the current program among citizens, local governments and elected officials, and business and other private-sector leaders. This requires on-going collaborative planning and close partnerships between the MPO and these other elements of society.
- Coordinate the MPO's planning with the planning of all affected state and local government agencies, especially the state's department of transportation and environmental protection agency.
- Build a sense of region-wide responsibility—a "regional ethos"—among MPO members, even though most of them are political representatives of specific local governments within the region.
- Take full account of the likely effects of all planned projects upon air quality in accordance with the 1990 Clean Air Amendments Act (CAAA).
- Develop specific systems for managing (1) congestion, (2) intermodal relations, (3) transit maintenance, (4) safety, (5) bridge maintenance, and (6) pavement maintenance.



- Use the latest techniques of analysis, evaluation, and behavioral modeling in carrying out all the other steps set forth above.
- Follow all existing regulations for funding requests of both the Federal Highway Administration and the Federal Transit Administration, even though they are quite different.
- Do all this within limited budgets for both capital (paying for the infrastructure projects) and operations (hiring and running the necessary staff), and without any direct powers to implement the plans it creates, since implementation is left to other agencies.

Actually carrying out these tasks has proved to be a tremendous challenge to the officials running MPOs, as indicated by several evaluations of their activities conducted by outside observers.¹²

D. Strengthening MPOs' Capabilities

A major recommendation of several MPO evaluations was that the U.S. Department of Transportation (U.S. DOT) should establish, fund, and pro-actively promote a much more extensive program for expanding the technical and other capabilities of existing MPOs. This program should be aimed at both MPO staffs and other participants in the MPO planning process. Moreover, U.S. DOT needs to better integrate its own agencies' relationships to MPOs. At the time of these evaluations, the Federal Highway Administration, Federal Transit Administration, and Federal Aviation Administration—which have never fully coordinated their own overall approaches to individual metropolitan areas—had disparate, unnecessarily duplicative, and poorly coordinated procedures for relating to and assisting MPOs.

In response to these recommendations, the U.S. DOT in November 2001 established a Metropolitan Capacity Building Program (MCB). Its stated mission is as follows:

"To help metropolitan area decision-makers resolve the increasingly complex issues they face when addressing transportation needs in their communities. This comprehensive program for training, technical assistance, and support is targeted to state and local governments, transit operators, and community leaders." ¹³

This program is surely a step in the right direction, but how well it will work remains to be seen.

The above comments certainly do not mean that the MPO planning process should be abandoned. To the contrary, they indicate that achieving the multiple goals of that process is extremely difficult, and will therefore take a long period of experience and experimentation. It will also take willingness by Congress and the federal agencies concerned to adapt current regulations to the lessons that emerge from experience. Despite these difficulties, it is most likely that developing regional transportation planning will, in the long run, prove superior to continued fragmentation of such planning among uncoordinated local governments.

Therefore, persons promoting regional anti-congestion strategies should seriously consider developing some type of regional transportation entity with responsibilities that go beyond those currently afforded to MPOs and become the regional infrastructure agencies. Creating such an agency would require action by the state government—or governments—concerned.

The agency's jurisdiction should ideally include the planning, construction, and operation of the metropolitan area's principal roads, bridges, tunnels, and mass transit systems. It would be able to review and coordinate local land use policies and be able to set pricing schemes for parking and tolls. This could be a newly-created regional authority or it could be a fully-evolved MPO.

Clearly, such an agency is easiest to create when the entire metropolitan area lies within one state. If regional public agencies with the genuine power to affect traffic congestion are ever to be created, this is probably the form most will take. The next section considers other possible institutional arrangements to combat congestion.



IV. Other Possible Institutional Arrangements

POs deal mainly with building new transportation infrastructures; hence they are not the only organizations necessary to carry out effective anti-congestion policies at the regional level. Many such policies involve changing the behavior of existing governmental agencies, private bodies, or individual drivers. Examples include encouraging more ride-sharing and transit ridership; adopting zoning laws that prevent very low-density development in outlying areas; providing subsidies for high-density in-fill development; and creating high-density development zones around transit stops. These tactics would also be most effective if planned and managed at the regional level, but they are largely not within the purview of MPOs. So other institutional forms are needed to carry out such tactics throughout an entire metropolitan area.

These regional anti-congestion tactics are of two basic types: those concerned primarily with transportation itself (such as ramp metering or taxing parking facilities), and those concerned primarily with land-use as it affects transportation (such as promoting high-density development around transit stops). Most American citizens have quite different attitudes towards these two types of tactics. As Kathryn A. Foster said in her excellent study "Regionalism on Purpose":

"Americans generally embrace regionalism when it promises material gains through improved service delivery or tax-reducing mergers, but reject it when it redistributes resources, promotes racial and class mixing, or jeopardizes local land-use prerogatives." ¹¹⁴

To put it another way, Americans will accept relatively strong regional arrangements for primarily physical or economic activities much more readily than for social ones—including control over land uses. Therefore, the type of regional arrangement most appropriate for any anti-congestion tactic depends upon whether that tactic is transportation-oriented or land-use oriented.

Kathryn Foster divided all regional arrangements into two major categories: structural arrangements and non-structural ones. ¹⁵ Table 1 depicts those arrangements relevant to regional anti-congestion policies. It is modeled after the earlier edition of *Stuck in Traffic*

STRUCTURAL ARRANGEMENTS		NON-STRUCTURAL ARRANGEMENTS	
TYPES	EXAMPLES	TYPES	EXAMPLES
Full Metropolitan	Jacksonville, Florida, Indianapolis	Voluntary Cooperation	Councils of government
Governments	and Marion County, Indiana	among Autonomous	
	Louisville-Jefferson Country	Local Governments	
	Metro Government		
Multi-Purpose	Portland Metro, Twin Cities	Comprehensive Plan	Varies
Regional Entities	Metropolitan Council	Preparation as Part of a	
		State-Mandated Planning	
		Process	
Single-Purpose	Port Authority of New York and	Joint Public-Private	New York metro area
Regional entities	New Jersey; various transit agencies	Coordination, Planning, and	Regional Plan Association,
-		Policy-Promotion Agencies	Chicago Metropolis 2020
State Government	Highway departments		-
Agencies			
Federal or Federally-	MPOs; Air Quality Management		
Mandated Agencies	Districts		



and a chart in Foster's "Regionalism on Purpose." Specific comments about each of the regional forms shown in this chart are discussed below.

A. Structural Arrangements

Full-metropolitan governments. These arrangements include city-county mergers and "pure" metropolitan governments. Their main advantage in terms of dealing with congestion is that they provide some broad regional-level control over all basic local governmental functions. However, this form has a fatal drawback: it has virtually no political support because it involves regional control over all land-uses. Such control is often opposed by both suburban residents and by central-city elected officials. That leaves almost no one in favor of these arrangements. Hence, no region has a pure metropolitan government, and only a handful have arrangements based on city-county mergers. It is important to note that even in places where large scale consolidation has occurred, the newly-formed government is still much smaller than the area served by the MPO. Jacksonville, Florida, for example, is the largest city in the contiguous United States since it merged with Duval County in 1968. The consolidated city/county is 757.7 square miles in land area, however, the MPO that serves Jacksonville—the First Coast Metropolitan Planning Organization—covers nearly 1,118 square miles.

Multi-purpose specialized regional entities. These arrangements typically combine regional control over major physical infrastructures, such as transportation, sewer systems, and water systems, in one organization. Since these activities are closely interrelated functionally, managing them within a single organization makes sense. Moreover, these elements can strongly address congestion by affecting where new housing and other developments will be created. Therefore, a single institution controlling these elements can significantly influence land-use decisions relevant to transportation without removing formal control over land-use decisions from local governments. So such an institution is politically far less threatening to suburban communities than full metropolitan governance. One primary example is the Metropolitan Council, a regional planning agency that covers the seven main counties in metropolitan Minneapolis-St. Paul. The Met Council, as it is known, was first created over 30 years ago and oversees metropolitan systems for aviation, transportation, parks and recreation, and wastewater treatment.¹⁷

Single-purpose regional entities. In some U.S. metropolitan areas, all public transit has been turned over to special regional agencies that run the bus lines, commuter rail lines, and fixed-rail mass transit systems. In other areas, regional agencies are responsible for key highway-oriented facilities, such as bridges and tunnels. In the New York City area, the regional Port Authority operates bridges, tunnels, bus terminals and bus lines, port facilities, and the main airports. Where such specialized regional agencies already exist, they can under some circumstances carry out regional anti-congestion policies.

For example, regional transit agencies could improve the service and facilities of those systems to divert traffic from highways. Such agencies could also try to encourage high-density residential and commercial development in the vicinity of their major stations. These tactics are not in themselves likely to reduce congestion significantly, but they might be useful as parts of a larger and more comprehensive set of tactics. The Washington Metropolitan Area Transit Authority (WMATA) has an active program specifically intended to facilitate transit-oriented development near its rail stations and promote other smart growth principles.

Where a regional transportation agency already exists, its scope for carrying out congestion- reducing tactics is even greater. For example, in San Francisco, the Metropolitan Transportation Commission (MTC) is responsible for setting tolls for the state-owned bridges in the area. ¹⁸ Conceivably and with sufficient political courage, the MTC could employ peak-hour tolls on these bridges to dissuade many auto commuters from using the bridges. That proviso emphasizes again the importance of creating widespread public sup-



port for regional anti-congestion policies among citizens and political leaders. It will not do any good to establish the institutional mechanisms to effect those policies unless such support has been generated in advance.

Other institutional entities have been created in a handful of regions that consist of partnerships among public agencies to deal with issues of traffic management, incident response, and traveler information.¹⁹ These ad hoc organizations—generally referred to as Regional Operating Organizations (ROOs)—are, as the name indicates, involved solely in the operations side of managing the regional transportation network and are by and large not involved in planning.²⁰ So while they may be effective in dealing with day-to-day traffic issues, they are not likely to have any significant impact on long term metropolitan congestion. However, given their potential for improved operations (as opposed to additional capital investment) ROO's have the potential to serve as important role in congestion mitigation strategies.

State Transportation or Highway Departments. State transportation or highway departments have long been responsible for much transportation facility planning, financing, construction, and operation throughout many metropolitan areas. They have three huge advantages in carrying out regional anti-congestion policies: their jurisdictional territory encompasses the entire metropolitan area, unless it includes parts of more than one state; they already possess established capabilities and channels of finance, information, and political influence; and their agencies have access to large continuing flows of money to finance transportation activities and investments.

Therefore such agencies could improve highway maintenance, build new roads or expand existing ones, add HOV lanes to existing roads, coordinate traffic signals, and install ramp meters on expressways and arterials. Some state agencies could even install area-wide peak-hour road pricing systems if the federal government removed current restrictions on charging peak-hour tolls on interstate highways.²¹

However, many of the above activities—such as building new roads—must now be coordinated with each region's MPO. In fact, one of the key factors outlined in TEA-21 for MPOs is to "promote efficient systems management and operation." So the state government could no longer act alone regarding those activities. Moreover, state agencies are poor vehicles for instituting new policies that require citizens and officials to change their longestablished behavior. Leadership in creating such change rarely comes from public officials in a democracy because they are essentially followers of existing public opinion. In fact, this characteristic is one of democracy's greatest strengths. But it means that adopting new methods—especially controversial ones—requires some other source of change.

Federal or federally-mandated regional agencies other than MPOs. The federal Clean Air Act provides a potentially powerful regional force that might affect traffic congestion. That law established air quality standards for all U.S. metropolitan areas. The federal Environmental Protection Agency (EPA) requires state governments to create plans for cleaning up the air in "non-attainment areas" where air pollution exceeds acceptable levels. Non-attainment areas have boundaries that are generally similar to those of metropolitan areas and consolidated metropolitan areas. Therefore, a state can set up a regional organization to coordinate air quality improvement throughout an entire metropolitan area. Moreover, acting through such state-created agencies, the federal government can override or preempt certain local ordinances related to air quality. However, part of this function has now been delegated to MPOs, which are charged with taking into account the possible air pollution impacts of any transportation facilities they propose, and conforming to the requirements of the Clean Air Amendments Act of 1990.

Emissions from automotive vehicles are a primary cause of air pollution. Long average commuting trips in general, and traffic congestion in particular, both increase the emissions discharged into the atmosphere. So air quality improvement agencies have become concerned with traffic flows, especially in California. Consequently, the California Air



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Resources Board has drawn up proposed regulations that would require major changes in driving and commuting behavior over large territories. For example, it has proposed that a significant fraction of all automotive vehicles be powered by fuels other than gasoline by the year 2010. Achieving that goal would require enormous changes both in the automobile and petroleum industries and in household behavior. There are 36 air districts in California charged with carrying out these regulations in collaboration with their local MPOs.

Such federally empowered agencies could (in theory) implement many of the potentially most effective anti-congestion tactics at regional levels. For example, they could impose peak-hour road pricing and parking charges throughout a metropolitan area. Therefore, federally rooted antipollution agencies represent one of the potentially strongest instruments for carrying out regional anti-congestion tactics. In November 1998, the California Air Resources Board amended existing Low Emission Vehicle regulations to extend passenger car emission standards to light trucks and sport utility vehicles, starting in the year 2004.²⁴

Such agencies could adopt and carry out regional anti-congestion tactics effectively only if two conditions prevail:

First, each agency's leaders must be convinced that specific regional anti-congestion tactics are absolutely necessary to reduce their air pollution to acceptable levels. This is not a foregone conclusion. There has been so little experience with regional application of these tactics that no one can be sure just how they would affect air quality. Moreover, there is always a lot of resistance to regional approaches, and so a strong case must be made that these tactics would greatly reduce air pollution before any regional air quality improvement agency will adopt them. Developing such a case is an important task for proponents of anti-congestion tactics.

Second, most of the citizenry must voluntarily accept and follow these regulations. Past U.S. experience has repeatedly shown that strong and widespread citizen rejection of laws that require major behavioral changes may severely undermine their effectiveness. This can occur even if the agencies concerned have unchallenged legal authority to pass and enforce such laws. If many citizens ignore or flout such laws, it may be impossible for these agencies to enforce them. That happened in connection with the prohibition of alcoholic beverages during the 1920s and early 1930s. It is now happening concerning the importation and use of illegal drugs. Even massive federally financed efforts to prevent illegal drug distribution and use have not come close to stopping either. A similar defiance of laws governing vehicle speed limits occurs throughout the nation every day.

Thus, widespread citizen opposition to severe limitations on the design, purchase, and use of cars and trucks could very well undermine the effectiveness of federal efforts to impose those limitations. Such opposition would soon be communicated to elected officials, who could restrict the powers of air quality improvement agencies to pass and enforce those laws. However, it is too soon to predict that this will actually happen if a regional air-quality improvement agency tries to carry out unpopular anti-congestion tactics. In spite of potential citizen resistance, the already-legally-established powers of such agencies to act across an entire metropolitan area provide a potentially effective means of carrying out regional anti-congestion tactics.

B. Non-Structural Arrangements

Voluntary Cooperation Among Autonomous Local Governments. This is the least satisfactory type of arrangement, with the fewest applications for fighting congestion, because it cannot compel local governments to coordinate their behavior closely or to monitor and adjust that behavior. Yet voluntary cooperation through arrangements like councils of government (COGs) could coordinate the upgrading of local streets, the timing of traffic signals, the conversion of local streets to one-way flows, incident management strategies and, possibly, coordinated and consistent land uses. However, where anti-congestion policies require controversial decisions—for example, benefits and costs often have to be allocated across many communities—this arrangement does not work well.



Comprehensive Plan Preparation as Part of a State-Mandated Planning Process. Several states require all their local governments to draw up comprehensive land-use plans as parts of their statewide planning systems. These systems are designed to achieve state goals pertaining to the environment, transportation, open space, and housing. The state legislature first establishes broad goals. It then directs all local, county, or regional governments to draw up comprehensive plans pursuing those goals within their own boundaries. This process is normally managed by a state-level agency. It has final coordination and approval power over the plans drawn up by lower-level bodies. By combining state-level goal setting and coordination with detailed local or regional-level planning, this process uses the best traits of governmental bodies at each level. By late 2000, such processes had been adopted by Hawaii, Maine, Oregon, Florida, New Jersey, Maryland, Pennsylvania (at the county level), Rhode Island, Tennessee, and Washington.²⁵ It is separate from the MPO processes in these states, but may be coordinated with the MPOs.

Such a comprehensive planning process could be used to carry out regional anti-congestion policies under some circumstances. One such policy is confining all future urban development to average gross residential densities above some minimum level, say 2,500 persons per square mile. This would shorten average commuting journeys, compared with those in areas with much lower densities. A state could adopt such a minimum-density policy for all its metropolitan areas. Other anti-congestion policies this process might entail are clustering high-density housing near rapid transit and commuter rail stations, stimulating formation of transportation management associations, encouraging more people to work at home, and instituting an area-wide "cash-out" program related to free parking provided by employers.

Private Civic and Policy-Promotion Agencies. Americans have long been noted for forming associations to achieve joint purposes. As Alexis de Tocqueville pointed out: "In no country in the world has the principle of association been more successfully used or applied to a greater multitude of objects than in America." One type especially important in changing public policy has been the regional civic organization that transcends individual community boundaries. One example is the United Way organizations that raise and distribute charitable contributions across the nation. In terms of organizations that work to address traffic congestion, examples include the San Francisco Bay Area Council, Chicago Metropolis 2020, and the greater New York Regional Planning Association.

This type of organization has three principal advantages in creating a regional basis for anti-congestion policies

First, it can draw together members of both private and public organizations, including business firms, labor unions, nonprofit associations, universities, government agencies, and public legislatures and executives. That is to say, it can provide a forum in which members of these groups come together and discuss joint concerns outside their official organizations.

Second, it can establish any geographic jurisdiction its members desire, including entire metropolitan areas. This can be done by a mere declaration of purpose; it requires no official approval by anyone else.

Third, such an agency can take controversial stands without making its individual members commit themselves to those stands. Each member can claim that "the organization" did it or blame all the other members. This permits such an organization to take much more controversial collective positions on issues than many of its members would be willing to endorse individually in public. Hence such an organization is an ideal vehicle for changing public opinion to support some controversial new policy. It can adopt innovative positions ahead of existing public opinion, without exposing its individual members to accusations of ignoring that opinion. That is why so many regions have adopted this form for conducting "visioning" process to formulate very long-range plans for future growth and development.²⁷

The two obvious disadvantages of such organizations are that they have little or no money and that they have no governmental powers. Hence they have almost no ability to



actually carry out whatever public policies they support, and their roles are confined to influencing public opinion and persuading those who do have money and power to adopt the policies they favor. They can therefore become vehicles for persuading the public and its leaders that some problem is serious enough to demand concerted action; formulating, analyzing, and discussing possible means of remedying that problem; and promoting the specific remedies they believe would be most effective.

These three functions are all vital in securing the adoption of regional approaches to attacking traffic congestion. It is crucial to have some type of regional association outside of government strongly supporting such strategies if they are to be adopted anywhere. If such a region-wide organization already exists to deal with other issues, perhaps it can expand its functions to cope with traffic congestion too. Or else a new organization should be formed for this purpose. The membership should consist of top-level officials in large establishments and other citizens' groups in the metropolitan area concerned, plus governmental leaders who can influence key transportation and land-use policies.

Both private-sector and public-sector leaders should be involved right from the start. Such an organization needs a initial convener to interview relevant stakeholders so as to decide who should be involved in its deliberations. After an "inner circle" of possible participants has been identified, there needs to be a preliminary written statement of the problems on which to focus, and possible selection of a professional facilitator. If the consensus-building process is carried out skillfully within clearly-defined written rules, the participants will become unified by sharing in the deliberative analysis of congestion problems, examination of possible solutions, and arrival at final recommendations. The whole process should be oriented towards creating a consensus across several issues and subissues (dealing with more than one provides more opportunities for different participants to achieve positive gains from the joint result) in which all—or nearly all—participants regard themselves as better off than without any agreement. Their common experience in the process, plus the benefits they gain from the final agreement, will secure their emotional commitment to carrying out their final recommendations in the face of the strong resistance sure to arise. Then there should be one or more rounds of having the participants review the consensus with their separate organizations, and possibly modifying it to take account of suggested changes. Finally, the organization should launch a concerted campaign of information and political pressure urging the adoption of the regional approaches it has recommended.28

It is important to note that when such organizations are formed to consider a region's future, they typically define their subject matter more broadly than just traffic congestion, including land-use and environmental issues as well. This shifts the focus of their deliberations away from traffic congestion to broader issues on which it is much more difficult to gain public support for regional policies than it would be concerning traffic congestion alone.

* * *

The above analysis of how to organize regional anti-congestion policies does not imply that congestion can best be attacked by creating a single regional agency as the czar of all anti-congestion policies. Instead, it might be desirable to have different congestion-reducing policies run by different local and regional agencies that organized themselves in ways best suited to their individual tasks. But if several anti-congestion agencies are created at the regional level, they should certainly be linked through both formal and informal coordination.



IV. Prospects and Outlook for Regional Anti-Congestion Agencies

n almost every U.S. metropolitan area, attempts to carry out effective regional anticongestion tactics will be met with resistance. Any organizations created for this purpose could work well only if they exercised authority and powers now divided among many local and state government agencies, but most officials in those existing agencies strongly oppose any reduction in their present powers. Local governments are particularly loathe to yield any control over their land uses to outsiders. Indeed, the main function of many U.S. local governments is to control land-use patterns so as to benefit their existing homeowning residents by maintaining or increasing the market values of local homes.²⁹ Yet many tactics for reducing peak-hour congestion would require shifting at least some local power over land uses to a regional agency.

The MPO structure has accomplished this goal to a great extent concerning the planning and construction of major infrastructure investments. But the authority of MPOs does not extend to operating those investments, or to controlling other types of anti-congestion policies, as noted earlier. Hence additional regional efforts are necessary to make use of all potentially effective anti-congestion tactics.

The most important actor in the potential development of effective regional agencies is the state. State governments encompass entire metropolitan areas or large parts thereof; hence they should not exhibit the same narrow parochialism as local governments. In most metropolitan areas, the territory of regional agencies would lie entirely within a single state. Only state governments have the constitutional authority to create such regional agencies. Unfortunately, most state governments have been unwilling to create such regional agencies to combat traffic congestion. In fact, most states have not embraced federal transportation efforts and devolved sufficient powers and responsibilities to metropolitan areas. On the state of the state

One reason is that such an agency would have to be given powers that are now in part exercised by other state agencies—particularly state DOTs. Officials in those other agencies would be unhappy about giving up any of their present powers. In addition, no state legislature is willing to incur the wrath of most local governments unless the legislators have strong incentives to do so. State legislators are themselves elected from local districts. They are often linked personally and politically to existing local governments. Moreover, since state representatives are seldom elected from districts large enough to encompass an entire metropolitan area, their viewpoints are also quite parochial.

At the same time, certain positive gains might motivate state legislators to establish regional anti-congestion agencies over the objections of local governments. The main gain would be in reducing traffic congestion in the long run, but that gain would be spread over residents and firms in all parts of the metropolitan area. For each beneficiary, it would be only a small part of the general benefits received from all state government actions. Hence few beneficiaries would decide how to vote among state legislative candidates on the basis of this issue alone.

In contrast, the potential loss of local sovereignty from the creation of such regional agencies would be seen by many local officials as a major threat to their welfare. So how each state legislator voted on this issue would heavily influence the amount of support he or she received at the next election from local officials. In the minds of most state legislators, the potential loss of support caused by their favoring creation of strong regional agencies would outweigh the gains from reducing traffic congestion.

This does not mean states will never create effective regional anti-congestion agencies, simply that such actions will be rare. Even when they occur, some resistance will persist within both state and local governments. Underlying that resistance is the fundamental belief among many citizens that reducing traffic congestion is far less important than pursuing other social or personal goals. Therefore, if reducing congestion means they must change behavior they have cherished for other reasons, they may prefer to endure congestion—while, of course, still complaining loudly about it.



What would cause the relevant public officials to adopt regional tactics in spite of the above drawbacks? First, traffic congestion must become so widespread and so intolerable that a large fraction of the metropolitan area's citizenry regards it as a crisis. Second, key state and local officials—especially the governor—must believe that carrying out regional anti-congestion tactics is essential to remedying this crisis. Third, there must be some credible institutional structure available through which to accomplish those regional tactics. These elements are discussed below.

The Need for a Crisis. In a few metropolitan areas, peak-hour congestion is so bad that reducing it is widely perceived as the central issue facing local governments. Hence the governor and state legislators are strongly motivated to appear to be doing something about this problem in order to be reelected. Otherwise, they are unlikely to act effectively, since the political leaders in a democracy fear asking the citizenry to make fundamental changes in established institutions or behavior. People can be induced to do so without enormous resistance only if they believe they must to alleviate a crisis that is either already present or imminent. Elected officials are in turn unwilling to ask the public to make basic changes unless they believe the public thinks itself threatened by such a crisis.

Most such crises involve some sudden disruption of normal life. They must pose serious, obvious, and immediate threats to the welfare of a large percentage of the population. But peak-hour traffic congestion does not change dramatically overnight; rather, it gets a little worse each day. Since each commuter's route differs from those traveled by most others, people do not all encounter the same degree of congestion simultaneously. So there is no widespread common perception concerning just how bad traffic congestion has become as of any particular date.

In 1999, Georgia Governor Roy Barnes was faced with such a crisis in the Atlanta metropolitan area. By the end of the 1990's, only the Los Angeles and San Francisco metropolitan area drivers experienced more congestion each day than those in Atlanta.³³ Air pollution had become so severe that the region was faced with the loss of millions of dollars in federal transportation funds as mandated by the federal Clean Air Act. As a result, the 1999 governor's race in Georgia was dominated by discussions of growth and transportation where Barnes made finding a metropolitan solution a cornerstone of his campaign.³⁴ After his election, he created the Georgia Regional Transportation Authority (GRTA) and gave it broad authority to improve air quality, curb sprawl, and address traffic congestion by, among other things, giving it the ability to veto state and local transportation plans.³⁵

But generally, without any sudden crisis to galvanize public officials into action, they are reluctant to ask citizens to make the painful changes necessary to alleviate peak-hour congestion. True, after congestion has become bad enough long enough, more and more citizens and their political leaders may decide it has passed some invisible threshold of acceptability. If enough citizens do, some elected officials will propose the kinds of actions described in this brief.

The Need for a Belief That Regional Remedies Are Essential. Even when congestion reaches crisis stage in metropolitan areas, key officials must be convinced that strong regional agencies are essential to cutting traffic congestion. Otherwise they will prefer other remedies not requiring such drastic behavioral changes. The belief that regional remedies are essential is not widespread.³⁶

A critical function of public-private anti-congestion groups is to nurture and strengthen this belief in the minds of relevant public and private leaders. This is probably best approached by emphasizing the inadequacy of existing congestion-related policies formulated and carried out by highly fragmented local governments. Making this point will also require linking traffic congestion problems to the nature of land-uses and land-use decisions controlled by fragmented governments. The general public needs to become more aware of the fact that traffic congestion is closely tied to the prevalence of low-density set-



tlement patterns encouraged by local government land-use planning decisions—and by the public's own settlement preferences.

The Need for Credible Regional Institutions. Even if the first two conditions exist, one or more credible institutional structures for implementing regional congestion remedies must also be available in the metropolitan area concerned. Possible forms of such structures were discussed above. This condition implies that all key segments of the metropolitan area must lie within a single state, because almost all regional bodies with effective action powers can only be created by state legislatures. If a metropolitan area is in two or more states, it will be extremely difficult to create any institutional structures able to carry out anti-congestion tactics throughout the region. Rivalries among political leaders and agencies in different states and the legal difficulties of creating interstate compacts will greatly complicate that task.

This condition also implies that both regional structures and the widespread belief that they are essential should be created before traffic congestion produces a crisis. Then when such a crisis appears, regional policy responses can be launched immediately. That will permit effective action to start before public concern with the crisis wanes. This is critical, because the public's attention rarely remains focused on any one issue very long.³⁷ Therefore, persons promoting effective anti-congestion tactics should start building a foundation for regional responses well before congestion reaches maximum intensity.

* * *

In the long run, severe peak-hour traffic congestion can only be effectively combated with the aid of at least some regional anti-congestion tactics. But it is extremely difficult to create the political support and institutional structures necessary for such tactics. To do so, proponents of these tactics will have to overcome massive resistance from local governments, existing state agencies, and a majority of citizens who do not want to stop commuting alone in their cars.

To accomplish this task they will have to act in advance of any widely perceived congestion crises. Achieving success also demands persisting—perhaps for many years—in spite of continual failure. After all, not one of the more than 340 metropolitan areas in the United States has yet adopted a comprehensive, regionally based strategy for attacking traffic congestion, insofar as I know. This does not mean that all efforts to achieve a regional approach should be abandoned as hopeless. But it does mean that persons attempting such efforts must be prepared to endure failure for a long time. Their motto must be, "Never give up!"

VI. Conclusion

ecause traffic congestion is essentially a regional phenomenon, regional approaches are necessary to coping with it as effectively as possible. Up to now in the United States, the complexity of such approaches, and their conflict with deeply-embedded attitudes favoring fragmented local governance over land uses, have both impeded effective anti-congestion policies. The time has come not only to reexamine these obstacles to effective action, but to overcome them by adopting truly regional policies dealing with key aspects of the many forces affecting traffic congestion.

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Endnotes

- Anthony Downs is Senior Fellow at the Brookings Institution Center on Urban and Metropolitan Policy. This policy brief is taken from a chapter in Downs' forthcoming book, Still Stuck in Traffic, to be released by the Brookings Institution Press in March 2004.
- See: Bruce Katz, ed, Reflections on Regionalism. (Brookings Press: 2000)
- Anthony Downs, "The Devolution Revolution: Why Congress Is Shifting a Lot of Power to the Wrong Level," (Washington: Brookings Institution, 1996).
- For more discussion on federal efforts to support metropolitan transportation decision making see: Robert Puentes and Linda Bailey, "Improving Metropolitan Decision Making in Transportation: Greater Funding and Devolution for Greater Accountability." (Brookings, 2003).
- The main exception concerns some policies adopted by very large central cities.
- Raising gasoline taxes would be most effective if done by the federal government, rather than by state governments, because many metropolitan areas contain parts of more than one state, or are quite close to another state. If one state increased its gasoline tax to a level much higher than that in a nearby state, motorists would patronize service stations in the states with the lower prices. That would vitiate the impact of the tax increase and economically injure service stations in the state that raised taxes. Among the metropolitan areas or consolidated regions that cross state lines are New York City, Boston, Philadelphia, Chicago, Minneapolis-St. Paul, St. Louis, Kansas City, Cincinnati, Providence, Washington D.C., and Portland, Oregon. Only states in which major population centers are relatively distant from neighboring states could successfully avoid this problem. Probably the most important among such states are California, Florida, and Texas, in which a sizable fraction of U.S. population growth has occurred since 1970.
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- Martin Wachs and Jennifer Dill, "Regionalism in Transportation and Air Quality: History, Interpretation, and Insights for Regional Governance," in A. Altshuler, W. Morrill, H. Wolman, and F. Mitchell, editors, Governance and Opportunity in Metropolitan America (Washington: National Academy Press, 1999), pp. 253-280.
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- 12. These evaluations include U.S. Advisory Commission on Intergovernmental Relations, "MPO Capacity: Improving the Capacity of Metropolitan Planning Organizations to Help Implement National Transportation Policies," (Washington, 1995.) p. A-130); W.M. Lyons, "The FTA-FHWA MPO Reviews Planning Practice Under the ISTEA and the CAAA," Paper 94-0639 (U.S. Department of Transportation, 1994) www.fta.dot.gov/library/planning/ftafhwa/fta.html); and Paul S. Dempsey, Andrew Goetz, and Carl Larson, "Metropolitan Planning Organizations: An Assessment of the Transportation Planning Process," (Denver: University, 1998).

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- 15. Ibid, p. 9.
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- Valerie Briggs, "New Regional Organizations," ITS Quarterly, Fall 1999, Vol. II, No. 3, p. 35-46.
- Jonathan Gifford, "Introduction to Regional Operating Organizations," Proceedings from "Organizing for Regional Transportation Operations Conference," Washington, DC, January 27, 2003.
- 21. Some parts of Interstate Highways do charge tolls. They are mainly portions incorporated into the system from pre-existing toll roads. Examples are the Pennsylvania Turnpike, the Ohio Turnpike, the toll road system around Chicago, and the parts of Interstate 95 through Delaware. However, the federal government is now very reluctant to permit placing tolls on any additional parts of the Interstate System.
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- 28. Ibid.
- This point is best made by William Fischel in *The Home-Voter Hypothesis* (Cambridge: Harvard University Press, 2001).
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- Orlyn Lockard, "Solving the 'Tragedy': Transportation, Pollution and Regionalism in Atlanta," Virginia Environmental Law Journal, Vol. 19, No. 1, p. 161.
- 35. Hank Dittmar and others, "Realizing GRTA's Potential: Lessons from Around the Country," (Washington: Surface Transportation Policy Project, 1999). The crisis in Atlanta was so bad that even the Georgia DOT and the Atlanta Regional Commission (the area's MPO) publicly supported GRTA.
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