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PROCEEDINGS —

Fifteenth Annual Meeting

Theme:

“Transportation in Focus”

October 10-11-12, 1974

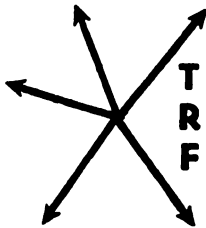
Fairmont Hotel

San Francisco, California



Volume XV • Number 1

1974



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TRANSPORTATION RESEARCH FORUM

I. THE NOTION OF NATIONAL TRANSPORTATION POLICY

BEFORE ADDRESSING directly the conceptual approach to national transportation policy it is helpful to clear away some of the underbrush which surrounds the issue. So much talk has gone on for so long about it that there are a host of minor yet troubling questions which should be resolved before attempting to describe the elements of the concept.

The first of these is quite basic: "What is policy?" A surprising number of people are unaware that policy is "a definite course or method of action selected from among alternatives and in light of given conditions to guide and determine present and future decisions." Many people who talk about policy really are talking about either general goals or specific programs. In doing so they are either short or long of the mark, for policy should tell you what kind of programs are needed to get from where you are to the goals you seek. Indeed, policy development can be analogized to a trip: the origin is the current situation; the destination is the goal; the route selected is the policy; and the vehicle used is the program. One additional element is the set of factors which are used in choosing the route — that is, in choosing the policy — from among all the alternatives. These factors are essentially the guideposts or route markers for the journey. They can be termed "policy criteria" or "policy principles." And they are fundamental to any true analysis of policy for they are the major determinant in selecting a policy alternative from among the options available.¹

This analogy presents one person's view of what policy is and where it fits in the scheme of things. There remains a nagging problem: how can you tell whether what you have is really policy? There are two simple tests to apply. The first is to state the proposition in the negative and see whether it makes any sense. The second is to see whether it makes anyone mad; if it does, then it's policy. Some examples will help. If we state the converse of "transportation should be safe, fast, convenient, and efficient," the proposition framed becomes — by most people's lights — ludicrous; thus it is not policy but, in this case, statement of goals. Likewise, that proposition, in its positive form, is not likely to upset anyone because until there are specific suggestions — i.e., policy alternatives — as to how to make transportation "safe, fast, convenient and efficient," no one's status quo is being affected either directly or indirectly.

Another matter which deserves some

treatment is the question of where the notion of a national transportation policy came from and what it includes. Byron Nupp traces the origin of the specific term to Harold G. Moulton's Depression-era studies at the Brookings Institution.² This might be considered the first sighting of what Transportation Secretary Claude Brinegar has referred to as "vague and elusive," and what Congressman Brock Adams has called "the Abominable Snowman."³

Contributing to this difficulty in identifying that which we are seeking is the fact that there are two fundamentally different aspects of the national transportation policy notion. Only a moment's reflection will serve to tell us that, regardless of the existence of formal statements on the subject, there is always a national transportation policy in operation: it is inherent in the ongoing programs and activities of the Federal and State governments. This national transportation policy "in being" is both the *de facto* and the *de jure* product of legislative, executive, regulatory, and judicial actions that have spanned much of the history of the Republic. Competing and conflicting claims relating to regional income distribution, the protection and preservation of particular industries, safety, economic growth, environmental considerations, and economic efficiency constitute only some of the more obvious and important driving forces behind these decisions. Existing national transportation policy thus reflects, in its totality, a set of ad hoc compromises forged by many opposing forces in the political, social and economic regimes.

The second major aspect of national transportation policy concerns not what the Federal Government is doing, but rather a political judgment about what it ought to be doing. This, obviously, is what many people have generally in mind when they demand that the DOT produce a national transportation policy statement. What they envision, without reference to or consideration of the specific content, is an internally consistent and logically satisfying set of positions and assertions embodying the Federal Government's proper attitude and role towards everything which might be included under the category "transportation." This conception of national transportation policy appears as a kind of shining ideal when compared to the seemingly rough and awkward patchwork of existing programs and policies.

As for what national transportation encompasses, the short answer is "everything." More specifically, it includes the government's relation to all the aspects of all modes of transportation: (1) the

National Transportation Policy: The Need for a Clear Concept

by Thomas A. Till*

administrative framework in which the government deals with each mode; (2) the manner — if any — in which the government promotes or has promoted the growth and development of a given mode of transportation; (3) the system of economic regulations used to control various aspects of common carrier investments and operations; (4) the method of taxing the individual modes and the uses to which the tax revenues are put; and (5) the various regulations designed to protect the public as well as passengers, shippers, transport employees, and the environment from the adverse side effects of transportation investments and operations.

A final point to clarify is the distinction between the national transportation policy and a statement of national transportation policy. The context in which this matter generally arises is when the Congress puts the Executive on the spot for comprehensive and detailed recommendations as to what the national transportation policy should be. This was the case with the Department of Transportation's 1971 Statement on National Transportation Policy which was produced in response to the legislative mandate of Section 3(a) of the Airport and Airway Development Act of 1970.⁴ The reasons that this distinction is of concern are several. The most basic is that it is one thing to have a game plan and quite another to publish it for all the world to see. The request for a policy statement generally assumes that what should be provided is a treatment of all facets of all modes of transportation, as if each were the item of highest priority for policy development. This simply does not conform to reality since policy development resources are limited and good resource management dictates that the most serious problems get the most attention. Having a general perspective of all major elements of transportation policy is one thing; trying to record in

one effort, on an arbitrary schedule, firm policy views on every element of transportation policy is quite another. This paper rejects the notion that the production of a coherent, homogeneous, comprehensive statement of national transportation policy is a worthwhile exercise as a prime method for trying to carry out the government's interests in improving the transport system.

As a result of the foregoing discussion, we are left with the following impressions. First, that real policy is generally hard stuff to swallow for at least one interested party. It requires a sound assessment of where we stand and where we want to go. And its effective formulation presupposes the existence of a well-thought-out set of policy criteria or policy principles — a set of basic beliefs, if you will. Further, there has become established the idea that there is something called a national transportation policy,⁵ and some people believe that such a policy should be comprehensive and coordinated and that the development of all of its elements should be carried out on a continuing basis. And still further, some would maintain that the results of the continuing policy development should be published at regular intervals.

Having examined these preliminary items, let us address a conceptual approach to national transportation policy.

II. A CONCEPTUAL APPROACH TO NATIONAL TRANSPORTATION POLICY

Concepts often spring from questions and the issue of national transportation policy is no exception. Three basic questions — and three related conceptual aspects — will be addressed here. Essentially they encompass a descriptive view, a future-oriented view, and an operational view. Taken together it is hoped that they will provide some insight into the nature of national transportation policy and the process involved in developing it.

The Descriptive Aspect

The basic framework for the descriptive view was laid out in the first section in discussing the five elements of national transportation policy: administration, promotion, economic regulation, taxation, and protection. If they are examined in more detail it should become

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†The views expressed in this paper are not necessarily those of the U.S. Department of Transportation.

clear that the full elaboration for each mode of each policy element would provide a comprehensive description of the transport policy in effect today and the manner in which it evolved. Each element gets treated under each mode, and under each element should be considered four subelements: (1) rights of way; (2) stations, terminals, and shops; (3) vehicles; and (4) control systems.

When these modes, elements, and subelements are all examined together, they constitute a fairly exhaustive matrix, the makings of which are shown in Figure 1. Each intersection in the matrix can theoretically be described in both quantitative and qualitative terms, that is, how much was the particular activity worth in positive or negative terms and what was the nature of the activity carried out in each instance. It should be apparent that a thorough treatment of each item in the matrix would — when taken together — afford a most comprehensive view of transportation policy as it exists today.

This picture of transport policy as it exists can then be matched up against a description of conditions in all sectors of the transport industry to determine which policies are most in need of critical reexamination. It is this critical assessment of the relative need for

change in existing policies that determines the priorities for action.

The Futures Aspect

To complement the retrospective nature of the descriptive conceptual aspect there is the "futures" aspect which is definitely prospective in nature. The first tells us where we are; the second tells us (often not too convincingly) where we are likely to be — or where we should be — at some time in the future. Justice Holmes put it very well: "Every year, if not every day, we have to wager our salvation upon some prophecy based on imperfect knowledge."

Determining future developments is at best no science at all; at worst it is the misleading and misrepresented product of either quantitative analysis used without care or intuitive bias enforced without reason. Despite their problems, looks into the future do hold a continuing fascination and, when tempered with sound judgment, they can be quite useful in assessing the probable range of future occurrences.

A good part of the sound judgment involved in looking at the future involves trying to avoid in the "is" of the future the problems which make up what is wrong with the "is" of today.

This involves attempting to ensure both that the trends which produced to-

A DESCRIPTIVE MATRIX FOR NATIONAL TRANSPORTATION POLICY

Mode	Element	Subelement
Rail	Administration —Nature and extent of powers of transport-related government agencies	Right-of-Way
Air	Promotion —Capital	Stations, Terminals, Shops
Motor	—Operational	Vehicles
Maritime	—Maintenance	Control System
Inland	—R&D	
Waterway	Economic Regulations —Rates	
Pipeline	—Entry —Exit —Service	
	Taxation —Level of government —Use of revenues	
	Protection —Safety —Security —Environment —Energy —Land use	

FIGURE 1

day's problems do not continue into tomorrow and that the trends established by new policies and programs do not produce new, and similarly unfortunate, problems. This almost certainly involves some normative judgments about what will constitute "better" transportation in the years to come, but such judgments are inherent in any effort to effect a workable system of government by coherent policy rather than by undirected occurrence.

Particularly important in evaluating the trends of the present and considering the trends of the future will be issues of resource use. Figure 2 contains a comparison of the various modes of transportation on the basis of safety and resource impact. Those modes with unfavorable ratings will of necessity be the object of increased scrutiny and corrective activity in the coming years. But we must be careful to ensure as well that those modes not currently causing problems do not begin to do so because of the changing mix of policies.

The Operational Aspect

The mention of a changing mix of policies brings to mind the third aspect of the transport policy concept, that is, the operational aspect. The focus here is on the manner in which the government conceives and executes its role in the transport sector.

There are a number of ways to view the objective of the Federal role in transportation from an operational standpoint. One might be to ensure that the Federal Government undertakes only

those efforts which are "truly Federal" concerns. Another would involve having the government act to achieve as great a role as possible for the private sector in the transport system. A third, moving toward an evenhanded treatment of all the transport modes. And a fourth, promoting the quest for economic efficiency in the transport sector. There are undoubtedly a great many more postulations which could be formulated, but the critical question we are always trying to answer is: "What should the government be trying to do in the transport sector?"

The possibilities cited above, however, all involve seeking an operational approach based on some substantive notion of the objective. An alternative would be to view the government's operational objective as the attainment of a capability to manage the changes which are suggested by the policy development process. This is very much an institutional question as well, for it involves not only how government conceives of its role, but also how it organizes the elements of its powers to carry that role out.

A Synthesis

This somewhat simplistic discussion of a conceptual approach to national transportation policy must end with the conclusion that there must be a synthesis of the three aspects of transport policy.

Clearly we must know where we are, how we got there, and what kind of

COMPARISON OF MODES BASED ON SAFETY AND RESOURCE IMPACT

	Air Pollution	Water Pollution	Noise Pollution	Energy Intensiveness	Unfavorable Land Use Impact	Hazards to Safety
Rail	Low	Low	Moderate	Low	Low	Low
Aviation	High	Low	High	Very High	High in Selected Areas	Low*
Motor Carrier	High	High	High to Moderate	Moderate to High	High	Moderate
Auto	High	High	Moderate	High	High	High
Inland Water	Low	Moderate	Low	Low	Low	Low
Ocean Shipping	Low	Moderate	Low	Low	Low	Low
Pipeline	Low	Low	Very Low	Low	Low	Generally Low
Mass Transit	Low	Moderate to Low	Moderate to Low	Moderate to Low	Moderate to Low	Low

NOTE: General aviation, however, has a very high accident rate.

LEGEND
 Low — Favorable
 High — Unfavorable

FIGURE 2

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condition we are in; that pinpoints our origin.

We must also assess to the best of our capability where we should be going; setting a goal or a destination is a very important step in the policy development process and if intelligently done it involves much more than just extrapolating from past experience. A definite normative element is involved in altering the factors that determine where we would be going (if current practices are maintained) to reach where we should be going (if future requirements are to be best met.)

Finally, the retrospective and prospective aspects must be integrated by an operational approach embodying a clear concept of the role which the government must play if it is to effect the required changes in our transportation system. Whatever the catch-phrases used to describe that role, in transportation circles it can only be judged by one criterion: its success in facilitating orderly change and progress in the transport sector. And this success must extend to the liquidation of the "friction losses" in the system, the transition costs which are such troublesome obstacles to the implementation of productive change.

Only through addressing effectively each of these three aspects can we begin to fashion the kind of view of transport policy development which will serve us well as we face the challenges of the last quarter of the Twentieth Century.

III. CONCLUSION: THE NEED FOR CONSENSUS

This short paper is in effect a recommendation for a realistic policy about national transportation policy. As such it is intended to be much more of a working paper than a scholarly draft. In seeking to serve this function, it maintains:

That the current argument about national transportation policy is for the most part useless because each of the parties conceives of national transportation policy in a unique fashion. The progress of a dialogue on matters of substance is hampered critically by this lack of agreement on concept.

That policy-making, in any area of importance, is inherently a contentious activity, for everytime policy is set, someone's ox is gored. Thus, what we are seeking cannot be something designed to please all parties; if we found something with that characteristic, it would not be policy.

That the policy development process is not even and steady, but rather an erratic flow which responds to a great many pressures — direct and indirect,

foreseen and unforeseen. The hope that policy development can ever be converted into a mechanical process with the regularity and precision of a manufacturer's assembly line is a futile one and should be recognized as such. Policy development is not widget-making and certain policy elements are always going to deserve and get much more attention than others.

That — as a result of the above factors — we are unlikely ever to have a national transportation policy or a statement of it that places the same emphasis on all elements of policy or that is homogeneous in either the timeliness of its review or the depth of its treatment of major policy elements. Letting "sleeping dogs lie" is very much a reality of the policy development process. Our major transportation problems do not stem from the fact that we have not been addressing every component of transport policy; they stem from the fact that we as a society have not done the job we should have on the most critical components that we have addressed.

And finally, that unless we decide upon a "policy about policy" major elements of national transportation policy will continue to be formulated on an ad hoc basis with no notion of the basic considerations which need to be addressed. Time will be needed at best to bring some greater measure of coherence to the American transportation system, but if all the steps are random, the time required is likely to be exceedingly long.

FOOTNOTES

1 It should be pointed out that it is also possible to "make policy" by a process of not choosing explicit goals, not selecting explicit policies and not selecting explicit programs to set in motion. But for purposes of discussion, it is not necessary to pursue this point in detail.

2 See p. 143 of Nupp's "National Transportation Policy of the United States — An Analysis of the Concept," 2 *The Transportation Law Journal* 143.

3 See their respective testimonies before the House Transportation Appropriations Subcommittee hearings on national transportation policy, March 5-6, 1974.

4 In a somewhat mechanistic fashion Section 3(a) — entitled "National Transportation Policy; Formulation of Policy" — required that: Within one year after the date of enactment of this title, the Secretary of Transportation shall formulate and recommend to the Congress for approval a national transportation policy. In the formulation of such policy, the Secretary shall take into consideration, among other things — (1) the coordinated development and improvement of all modes of transportation, together with the priority which shall be assigned to the development and improvement of each mode of transportation; and (2) the coordination of recommendations made under this title relating to airport and airway development with all other recommendations to the Congress for the development and improvement of our national transportation system.

5 One sometimes wonders why no one speaks of a national policy in the same sense for agriculture, health, education, banking, and so on.