

Headway

2008 Annual Report of the Multi-State Highway Transportation Agreement

Arizona • Colorado • Idaho • Montana • Nevada • North Dakota • New Mexico • Oregon • Utah • Wyoming



Change Coming To MHTA

Executive Leadership,
Web Page, More Links
To Congress Planned

See Article on Page 3

Annual Conference
In Montana June 26-28
Details on back page

IT'S NOT ALL WORK

Idaho Rep. JoAn Wood and Idaho Gov. Butch Otter share a hug and a smile during a reception at the Nevada Governor's Mansion at MHTA's summer 2007 conference. At right, Montana Rep. Elsie Arntzen and Sen. Vicki Cocchiarella keep warm by the campfire at the fall 2007 meeting in Carefree, AZ.



HEADWAY

Journal of the Multi-State
Highway Transportation Agreement

Arizona-Colorado-Idaho-Montana
Nevada-New Mexico-North Dakota
Oregon-Utah-Wyoming

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Assemblyman Kelvin Atkinson, Chairman,
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Corporations and Transportation Committee
Rep. Daniel P. Silva, Chairman, Transportation
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Committee
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Committee

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Transportation Committee
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Transportation Committee

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Highways and Military Affairs Committee
Rep. David R. Edwards, Chairman, House
Transportation and Military Affairs Committee

Changes Recommended After Planning Session

The Multi-State Highway Transportation Agreement (MHTA) organization will be altered in 2008 after decisions that resulted from a planning session conducted during the fall 2007 meeting in Arizona.

Among the changes will be a new executive director's contract. In previous years MHTA contracted individually with two and sometimes three persons — an executive consultant, an administrative consultant and, for several years, a membership/accounting consultant.

But after the intensive planning session conducted by Carla Carter of Phoenix, MHTA's board decided that it should contract only with an executive director who, in turn, will arrange for administrative, accounting and communications services.

Carter advised the MHTA participants that it would be impossible to develop a full-blown strategic plan in just one day, but that the group should be able to meet the goal of knowing "where it wants to do in the next couple of years."

A consensus of ideas was developed from the strengths and weaknesses session.

The consensus:

1. Executive Director. The board should have only one contracted manager who is empowered to negotiate with others for needed services such as bookkeeping, meeting planning, communications and others.
2. Orientation for new members. Many legislators become MHTA participants without any prior knowledge of the organization or its goals and such issues as truck size and weight. An orientation program should be developed to give new members a half-day introduction to MHTA.
3. Resolutions and model legislation should be developed cooperatively among all members, including legislators and industry advisory participants. Proposed resolutions should be introduced at one meeting, then acted on at the next session.
4. Communication. MHTA needs a new, effective website. A lot of communication among participants should be by e-mail.
5. Congressional contacts. MHTA should become more proactive in communicating with members of Congress.



PLANNING SESSION — Carla Carter, a planning specialist, leads the strengths and weaknesses exercise at the fall 2007 MHTA session.

6. Industry Advisory Committee. The Industry Advisory Committee should be open to any MHTA participant, providing for broad discussion of resolutions prior to their introduction to the MHTA Cooperating Committee for a decision. The Industry Advisory Committee is subordinate to the Cooperating Committee.
7. MHTA's name. Some participants say the name doesn't explain the organization and that a name change may need to be considered.

The consensus of ideas grew from a discussion of the organization's weaknesses and strengths.

Among the strengths cited were:

- Diversity. MHTA's cooperating committee includes legislators from both sides of the aisle, and the advisory committee adds perspective to discussions.
- Unique. MHTA is the only organization where state senate and house members mingle collegially with trucking industry people and state highway department officials.
- Western. The organization's underpinnings include statutory approval from 10 western states.

• Access. Because the cooperating committee is made up of the leaders of 10 state legislative transportation committees, it has good access to members of Congress.

• Knowledge. The combination of knowledge from legislators, regulators, highway officials and truckers results in a powerful mixture of knowledge and understanding of transportation issues.

Among the weaknesses cited were:

• Lack of action. Too often MHTA approves resolutions, but these resolutions are not followed up in the state legislatures.

• The name. MHTA doesn't mean anything to people outside of the organization.

• Not big enough. No representation from Washington or California.

• Inadequate communication. MHTA relies on an annual magazine for much of its communication, which is not enough.

• Structure. Having too many contracted managers makes it difficult to know who's in charge.



NEW OFFICERS — Elected to serve as MHTA’s officers during 2008 are, from left, Sen. Scott Jenkins of Utah, secretary; Rep. JoAn Woods, Idaho, treasurer; Sen. Dennis Nolan, Nevada, past chairman; Sen. Vicki Cocchiarella, Montana, chair; Sen. Bruce Starr, Oregon, vice chair, and Rep. Robin Weisz, North Dakota, member at large. The election was conducted at the November 2007 meeting in Arizona.

MHTA’s Role Explained



Ben Havdahl

The Multi-State Highway Transportation Agreement’s purpose is to help make truck transportation laws more uniform among the 10 western states which comprise the agreement.

At the November 2007 meeting, MHTA Executive Consultant Ben Havdahl explained how the legislatures in the participating states passed enabling legislation creating the agreement.

MHTA, Havdahl said, is an “unique forum of state legislators, state departments of transportation and industry spokesmen.”

The organization’s two meetings each year are designed to provide legislative highway committee leaders with information that can help them pass laws that promote transportation efficiency and highway safety.

At the end of each session, the legislators are asked to approve or reject resolutions dealing with transportation issues and then, if possible, to secure passage of model laws developed through MHTA.



‘Since 2002 our trucking productivity per truck has dropped every year. It takes longer and longer to get from A to B because of congestion.’ — Ray Kuntz, chairman, American Trucking Associations

THE CHAIRMAN OF ATA — Ray Kuntz, 2007 chairman of the American Trucking Associations, said the United States has lost focus on the need to maintain highway infrastructure. Kuntz appeared at the 2007 fall MHTA conference in Arizona.

Congestion, Inflation Dog Transportation System

Trucks traveled fewer miles per month in 2006 than in 2000.

Why? According to Ray Kuntz, chairman of the American Trucking Associations, it’s a combination of reasons:

- Traffic congestion;
- Driver home time;
- Falling average length of haul;
- Hours of service rules changes.

If more money isn’t put into improving America’s highway conditions, these problems will only get worse, he said.

The federal motor fuel tax hasn’t increased since 1993. At the same time inflation has raised the cost of maintaining existing roads and building new ones, Kuntz pointed out in a presentation to the fall meeting of the Multi-State Highway Transportation Agreement. Also, improved car fuel economy is causing the tax coffers to grow slowly.

Kuntz pointed out that highway freight transportation tonnage is expected to increase by 31% by the year 2017. If that happens and highway carrying capacity doesn’t grow, highway congestion will make freight delivery problems even worse.

“How did we get into the mess we’re in?” Kuntz asked. “We’ve lost focus over the last 10 years on infrastructure.”

“As a result we’ve not had an increase in the fuel tax since 1993. We’ve lost a lot of our purchasing power with the fuel tax because we haven’t indexed it to inflation.

“Since 2002 our trucking productivity per truck has dropped every year. It takes longer and longer to get from A to B because of congestion.”

Kuntz pointed out that since 1982 the cost of congestion has grown at 8% a year, twice the rate of the growth of the economy. Traffic congestion last year cost our economy \$7.8 billion. The trucking industry lost 243 million labor hours to congestion.

Physical bottlenecks account for 40% of congestion. “That’s where we’re burning a lot of fuel and where we’re putting a lot of carbon in the air,” Kuntz said. Fixing congestion could save 27.7 million gallons of gasoline a year for cars and 4.1 million gallons of diesel fuel for trucks.

Congress is expected to begin serious work on a new highway funding bill in 2008. The current program provid-

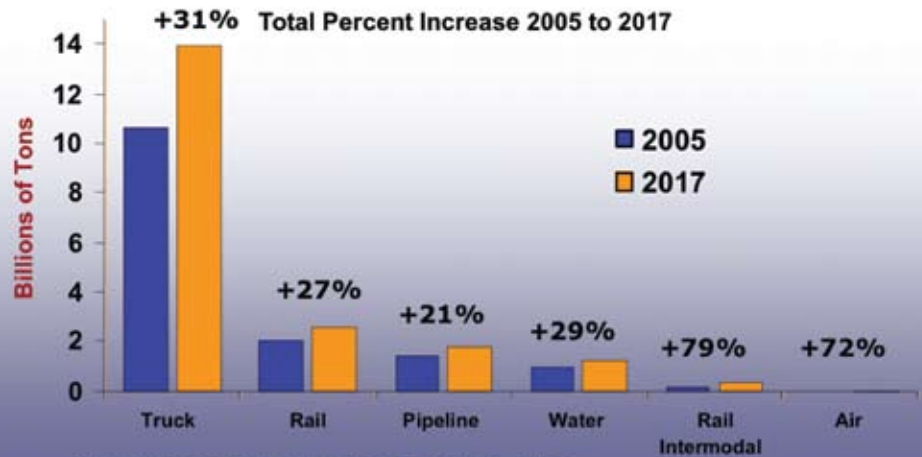
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Good stuff.



Projected Growth in Freight Transportation Tonnage: 2005 to 2017



Source: U.S. Freight Transportation Forecast to ...2017

Highway freight transportation tonnage is expected to increase by 31% by the year 2017. If that happens and highway carrying capacity doesn't grow, highway congestion will make freight delivery problems even worse.

Congestion, Inflation

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ed about \$286 billion in federal funding for roads, but it is expected that about \$550 billion will be needed in the new program to maintain existing roads and build new ones.

Kuntz said most states already are having difficulties keeping up with highway needs. Some of them, such as Illinois and New Jersey, have tried to solve the problem by selling their toll roads to private companies.

But, in Kuntz' view, "private highways definitely will hurt rural America," home to most of the members of MHTA.

New Jersey Gov. Corzine wanted to get \$30 billion by privatizing toll roads, then spend all of the money to balance the budget, Kuntz said.

He pointed out that tolls on privatized roads in Ontario are so high that trucks can't afford to use them.

Kuntz observed that ATRI (American Transportation Research Institute) expects an additional \$260 billion will be needed to adequately fund highway needs for the next five years. An additional 25 cents per gallon would raise about enough, Kuntz said.

"Does it all have to come from fuel tax increases?" he asked. Obviously not. "We've allowed fuel to go from \$1 to more than \$3 a gallon and not one extra penny has gone to roads."

"It's all about our priorities as a country, he said. "President Bush just requested \$190 billion more for Iraq. If we took \$50 billion out of that and used it for our infrastructure, we wouldn't have to raise the fuel tax at all."

Kuntz said the trucking industry is looking carefully at global climate change and trucking's responsibility to reduce its contribution to the problem.

The American Trucking Associations have a "very pro-

active agenda for reducing fuel consumption and carbon," he said, pointing out that in the United States heavy trucks put out 5% of global warming gases while passenger cars put out 17%.

"Trucks are cleaner but they get poorer fuel mileage."

He said ATA's sustainability task force recommends immediate imposition of a nationwide 65 MPH speed limit. "Sixty-five miles an hour won't hurt the trucking industry, but it'll really help reduce fuel consumption and carbon emissions, he said.

"The best fuel efficiency per mile is at about 55 miles an hour for most vehicles," Kuntz said. "You get a drastic reduction in fuel efficiency for every mile per hour your speed increases."

ATA also would like to find a way to reduce non-discretionary idling, the kind that occurs in stop-and-go traffic.

Also the organization favors installing APU units to heat and cool truck cabs when they're stopped. These devices "dramatically reduce fuel use in idling." Reduced discretionary idling can save 5.5 million gallons a year.

Another innovation that can reduce fuel consumption and carbon emissions is installing single wide base tires, in place of dual wheels. Kuntz said his trucking company, Watkins & Shepard of Montana, finds that single wide base tires can cut per truck fuel cost by \$5,000 to \$10,000 a year.

He pointed out that the Sustainability Task Force which studied transportation needs has recommended that size and weight reforms be made.

"Lifting the freeze on size and weights can dramatically increase productivity," Kuntz pointed out. "If companies could go to doubles or triples they could reduce their carbon emissions in half."

We're Unique, but We're All Alike

By SEN. VICKI COCCHIARELLA
2008 MHTA Chair

Montana has the most highway lane miles per capita of any state in the nation, one of the highest gas taxes in the nation, the longest shared border with a foreign country, four to six months of snow plowing each year, one national park sharing the border with a foreign country, another famous national park sharing borders with two other states, a passport required to cross the state line on its longest border. This is part of the uniqueness of Montana.

Every state is unique, but while we are unique we have a lot in common.

We have in common foreign trucks traveling our highways, national security concerns, air and noise pollution, traffic safety problems, highway congestion, the need for transport of goods, decaying infrastructure, bridges collapsing or dangerous, lack of experienced truck drivers, drivers working too long or too little, trucks with inconsistent weights and lengths trying to cross state lines, high fuel prices, uncertain financing for highways.

We also have elections in common. We wait to do something about our common transportation problems until after the elections in November while congestion on our roadways results in more clashes between passenger vehicles and trucks. Farmers, coal companies and flower shops depend on elected officials to assure that the transportation infrastructure essential for commerce will exist. We wait to see who is elected to do something about an infrastructure that is decaying before our eyes. The election will tell us who will be responsible to fix the crisis and keep this economy rolling down the road.

I have run for election eight times. I was never asked my position on highways or trucking.

After serving almost 20 years in the Montana legislature my greatest frustration has been not hearing the concerns of the people. I have run for election eight times. I was never asked my position on highways or trucking. As a legislator I never had a call about trucking troubles from anyone other than some anti-truck groups — or my mother who hates triple trailers. I never heard “I am a trucker and I vote.” I am not unique in my experience. Legislators all over this country have had similar experiences. Thanks to MHTA I have been uniquely enlightened.

The Multi-State Highway Transportation Agreement (MHTA) began with mission of fostering a seamless, more efficient transportation of goods by standardizing truck sizes, weights and lengths in 10 western states.

MHTA has had success influencing change in the member states but much less influence at the federal level where we need a voice.



Vicki Cocchiarella

We are changing that. At the MHTA annual fall meeting we dedicated ourselves to a new stronger direction. Thinking out of the box was part of our charge. We have a mission to reduce the obstacles in our states in order to have a unified system for the efficient movement of goods for our citizens in our region and in our nation. Our economy depends on it. All our efforts will be for naught if we can't get the changes we need, the funding we have to have and a voice in the political process.

Make the mission of MHTA your personal mission. Make it your responsibility to meet and get to know candidates in your state and in this country. Let them hear the issues from you, someone who knows and cares. All the organizations that exist don't have the impact of one concerned citizen. Make it a personal challenge to meet the candidates. You'll do your legislator a favor. You'll do yourself the biggest favor of all. You will have someone who knows you.

Vote for the one who listened. Don't stop there. Tell your family, friends and neighbors about who you know. Tell them who's the best candidate and make sure they vote.

Our commonality can make a difference in the next election. Move our mission forward and start now.

And don't forget that all legislators have mothers.

MHTA APPROVED MODEL LEGISLATION STATUS	AZ	CO	ID	MT	ND	NV	NM	*OR	UT	WY
Statute Enabling ND to Participate in MHTA					2					
MHTA Revised Enabling Statute	2	2	2	2	0	2	2	2	2	2
Uniform HAZMAT Model Law Registration and Permitting of Vehicles	0	0	0	0	0	2	0	0	0	0
Diesel Smoke Testing of On-road Diesel Vehicles	0	2	0	0	0	2	0	0	0	0
Engine Compression Brake Devices	0	2	0	2	0	2	0	0	0	1
Repealing Nine Axle Limit For Vehicle Combinations	0	0	0	2	0	2	N/A	0	2	N/A
Cargo Carrying Length Limit Replacing Overall Length Standards for LCVS	2	N/A	2	2	0	2	0	0	2	N/A
Implementing Dyed Diesel Fuel Enforcement Program	0	2	0	2	0	2	0	0	0	1
Good Samaritan Law-Liability Exemption of Commercial Vehicle Operators	0	2	0	1	0	0	0	0	0	0
Model Joint Legislative Resolution on Federal Size and Weight Regulations	0	0	0	0	0	0	0	0	0	0
CVSA Certification of Vehicle Safety Inspectors	0	2	0	0	0	0	2	0	0	0
Abusive Indemnification Agreements	0	**0	0	0	0	0	1	0	0	0
Model Joint Legislative Resolution-Cargo Securement Regulations	0	0	0	0	0	2	0	0	0	0
Model Legislation for Funding Multistate Highway Transportation Agreement	0	0	0	0	0	0	2	0	0	2
Non Divisible Oversize- Overweight Vehicle Regional Permitting Model Law	0	0	0	0	0	0	2	0	0	0
CV Owner for Driver in Court Hearing on Document Violation Model Law	0	2	0	0	0	0	0	0	0	0
Fraudulent Usage of Commercial Driver's Licenses Model Law	0	2	0	0	0	0	0	0	0	0
Event Data Recorders Model Law	0	2	0	0	0	0	0	0	0	0
Concerning Allowable Loads On Types Of Tire Equipment Model Law	0	0	2	0	0	2	0	0	0	0
Reporting Positive Drug Alcohol Test Results Of CMV Operators Model Law	0	0	0	1	0	0	2	0	0	0
Model Joint House & Senate Legislative Resolution – Federal S&W Regulations	0	0	0	2	0	0	0	0	0	0
ACTION KEY BY MHTA STATES FOR MODEL LEGISLATIVE BILLS										
0 - Legislation Not Introduced										
1- Legislation Introduced Not Passed										
2- Legislation Introduced and Passed										
*Oregon passed number of bills similar to MHTA models some before MHTA drafted model legislation.										
** Colorado plans to introduce Indemnification Legislation in 2008										

Over the past eight years the cooperating committee of MHTA has approved resolutions aimed at improving state-to-state truck transportation. The chart above indicates which states have passed bills based on the resolutions

Highway 101 Session Planned in Helena

The MHTA Board of Directors, under the leadership of Montana Sen. Vicki Cocchiarella, has asked to have a special new and old member orientation session during the MHTA Summer Transportation Conference in Helena, MT, June 26-28, 2008.

The session is designed to give members background information on major legislative issues affecting highway transportation and the movement of freight from one state to and through several other states. In particular the issue of truck sizes and weights allowed by the federal and state governments will be reviewed in the program.

The session program, billed as Highway Transportation 101, utilizes slides in a Power Point presentation to explain the role of MHTA, its statutory objectives to seek uniform truck size and weights, the history of federal and the western states' involvement in establishing truck sizes and weights, the impact of Congress "freezing" states' rights in increasing weights and lengths of Longer Combination Vehicles and other issues. Congress passed the 1991 law precluding action by the states, western states in particular, from harmonizing and making uniform truck sizes and weights.

Congress, in 1995, requested Federal Highway Adminis-

tration to conduct a Comprehensive Truck Size and Weight Study which included input at the request the Western Governors Association, to include the western uniformity scenario for LCV combinations in operation in the western states. No action was taken by Congress on the issue with the study concluding that "...strong support from elected officials of States within the region for a change in truck size and weight limits has not been evident..." MHTA has been a strong supporter of lifting the size and weight "freeze" as is the industry.

The introductory program emphasizes to MHTA members the importance of understanding the impact of uniform Longer Combination Vehicles and other truck sizes and weights among states.

Congress is due to redraw federal highway funding law in 2009. Truck size and weight disparity from state to state will be an important issue to resolve. The "harmonization" of LCV size and weights in the western states would reduce fuel usage by 12%, reduce highway noise by 10%, reduce truck emissions by 12%, save shippers \$2 billion a year, save 25% tuck miles traveled, and reduce 18-wheeler traffic by 76%.

New Highway Money Isn't The Only Thing On the Agenda

Passing a new highway funding measure isn't the only thing on the to-do list of the American transportation system, according to Randal Mullett, Con-way vice president for government relations.

Speaking at the 2007 summer conference of MHTA, Mullett said Hazmat security, REAL ID, Transportation Workers Identification (TWIC) program and the risk of pandemic infections rank high on Con-way's list of concerns.

Con-way is a \$4.2 billion company with 24,000 employees in 20 countries driving 8,500 tractors pulling 25,000 trailers. While it is a large enterprise, the U.S. trucking industry is larger. There are 2.7 million large Class 8 trucks operating in the U.S. The industry provides 8.9 million jobs and moves more than 70% of the nation's freight

Trucking is a very safe industry by and large, Mullett said, and industry and government want to make it safer. Still, some attempts are a bit extreme, he pointed out.

For example, there have been recent congressional proposals in recent years that would have required 100% live tracking and continuous driver communications of all shipments classified as hazardous materials. Curiously, even such mundane items as cosmetics and lipstick are currently classified as hazardous.

Mullett pointed out that the proposal would have required 800,000 written route plans to be filed with the Transportation Security Agency (TSA) every day.

"We're concerned about 100% tracking of hazardous materials," Mullett said. The nation needs to consider the security benefit versus the costs of compliance. He also said Con-way is worried that US Patriot Act requirements that hazmat drivers undergo federal security threat assessments may chase more drivers out of the industry.

The government's plans to implement a transportation worker identification credential (TWIC) have not gone smoothly, he said. The program was supposed to have gone into effect at 10 ports July 1, 2007. That deadline was missed.

The idea of TWIC was to develop a single nationwide document that would allow ports and freight terminal security to easily identify drivers who should have access.

"To get a TWIC an individual has to provide biographical and biometrical information and a digital photo,"



Randy Mullett

Mullett said, as well as pass a security threat assessment conducted by TSA.

Although the TWIC requirement currently applies only to maritime ports, TSA and port authorities estimate that they'll have to clear a million registrants in 18 months.

The trucking industry is concerned about the proliferation of various background checks and credential requirements, as well as whether the cost of implementing TWIC exceeds the security benefits.

REAL ID is another controversial effort aimed at improving the nation's security. It's intended to prevent unauthorized persons from obtaining a government issued ID. Many Americans believe REAL ID establishes a de facto national identification card.

The Real ID Act creates a federal identity document that every American will need in order to fly on commercial airlines, enter government buildings, open a bank account, and more.

The effort is so unpopular that 17 states have passed measures opposing it

After May 11, 2008, state driver's licenses and identification cards will not be accepted for federal purposes unless DHS determines a state is compliant with Real ID or a state has been approved for an extension by DHS. States had until March 31, 2008 to seek an initial extension of the Real ID compliance date.

According to a study conducted by NCSL, the National

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CAP'N ELSIE — Rep. Elsie Arntzen of Montana took a turn piloting the M.S. Dixie II on Lake Tahoe during the summer 2007 meeting. At right is the Nevada state seal displayed in the state senate chamber.



CONGENIAL GROUP — At a governor's mansion reception in Carson City, NV, 2007 MHTA Chair Dennis Nolan shared some laughs with Nevada Gov. Jim Gibbons and Idaho Gov. Butch Otter. Otter attended some MHTA sessions before having to leave so he could compete in a calf roping event at a rodeo in Idaho.





CAMERA SHY — Participants in the summer 2007 MHTA conference had an evening tour of Lake Tahoe. 2008 Chair Vicky Cocchiarella hammed it up for the camera.



FALL MEETING FUN — An outdoor barbecue met with MHTA member approval at the fall meeting in Carefree, AZ, in November. At left, a giant saguaro cactus serves as a reminder that, lovely landscaping notwithstanding, Arizona is desert country.

Private Roads Work, Even in China

Private construction and operation of highways works fairly well all around the world, even in mainland China, according to Nicholas Hann, managing director of corporate finance for Macquarie North America LTD.

Speaking at the summer 2007 MHTA conference observed that “the first toll road that I was involved in was in China in 1988.”

Macquarie is active in the PPP (Public-Private Partnership) infrastructure business in Australia, Canada, Great Britain and the United States. In 2000 when the firm became involved in the U.S. “the environment was tough,” Hann said. Few Americans had even considered that anyone other than governments could build or maintain highways and the “market seemed satisfied to continue doing what it had always done,” he said.

There were lots of questions: What’s a PPP? What does the private sector know about running toll roads or airports? How can private financing compete with tax-exempt funding?

“Many of these questions are still present in the marketplace,” he said.

But Macquarie has found success in North America, paying Chicago \$1.8 billion for a 99-year lease to operate the 1950s-era Chicago Skyway and contracting with British Columbia to expand the 65-mile highway from Vancouver to Whistler Basin ski area and then operate and maintain the road for 25 years.

“We’re basically upgrading that road to four lanes. The government said over next 25 years we’ll give you a certain amount of money and we have to do as much as we can.

“We get paid for safety performance, usage and keeping the road open. If we don’t meet standards, we get penalties. That’s the sort of public-private partnership being done around the world, but not yet available in the U.S.”

The need for alternative methods of building and maintaining roads stems from the conflicting priorities that governments face.

“U.S. governments are now putting about 2 to 3% of GDP into fixed investments,” he said. That used to be about 12%. “A lot of the infrastructure investment from the ‘50s and ‘60s needs to be replaced.”

PPPs are “more than anything an efficient delivery model,” Hann said. They’ve been used in the UK for about the last 15 years where they deliver “19% savings on capital

Chicago Skyway:
Case Study

- Overview of Asset**
 - Built in the 1950s
 - 7.8 miles in length
 - 3 lanes in both directions
 - Mostly elevated structure
 - Completion of a \$300m rehabilitation project expected in 04
 - Manual tolling (no electronic tolls)
 - EBITDA (2002): US\$33 m
 - Underutilized due to construction rehabilitation program
 - Average Passenger Vehicles per day: 50,000
- Overview of Transaction**
 - City of Chicago sold a 99 year concession for the Chicago Skyway
 - Competitive process involving 5-qualified parties
 - Citra-Macquarie consortium was the successful bidder
 - Final Sales proceeds of \$1.83 billion (49 x 2005 EBITDA)
 - Process run by Goldman Sachs
 - First privatization of an existing toll road in the U.S.
 - Financing structure used taxable debt (no tax-exempt debt)



Nicholas Hann

cost, 34% savings on operating costs and 17% overall life cycle savings.

Why do PPPs work well? “These savings don’t come from doing anything different in respect to specifications or labor costs,” Hann said.

Most of the savings come from life cycle. “Mostly the public sector under-invests in term of its long-term performance,” he said. “Maintenance costs come earlier. Invariably the budget office says things are tight, so maintenance is deferred.”

Another reason for savings is that road projects get built faster.

It’s more efficient to build on an optimum schedule, Hann said.

PPPs usually don’t result in private ownership of a road. “They usually are a concession. It might be 25 years, 50 years or 99 years, as in the situation in Chicago.”

“Typically at the end of the concession, we have to hand the road back to the public with the requirement that the road be in good condition.”

Macquarie makes profits by providing better service, allowing higher tolls. “We have people focused very day on making performance better,” he said. Electronic toll collecting and other improvements resulted in truck use of the Chicago Skyway increasing by 47% in six months, he said. These kinds of improvements reduced entrance waiting lines by up to 30 minutes.

The Chicago Skyway is owned by the city of Chicago. It had \$400 million in revenue bonds against it. “Advisers told them it was worth about \$1 billion. We paid \$1.8 billion for it,” Hann said.

On the Indiana toll road the costs of collecting the tolls were larger than the tolls being collected. Advisers thought it was worth \$2 billion. “We paid \$3.8 billion,” Hann said.

“We bring operating efficiencies, capital investment efficiencies and tolling efficiencies,” he said.

Without Trucks, We'd Starve

We'd starve without trucks.

Fletcher Hall, head of lobbying firm FR Hallo and Associates, presented that message at the summer 2007 meeting of MHTA in Carson City, NV.

"Ninety-five percent of livestock transportation is handled by truck, and fresh dairy products are primarily handled by trucks over relatively short distances," Hall said. "Trucks are the leading transport mode for the movement of fresh fruits and vegetables in the United States, with a market share of over 90 percent."

But unless more truck drivers are recruited the trucking industry won't be able to meet the nation's transport needs over the next 10 years, he said.

"If current demographic trends continue, the supply of new long-haul heavy truck drivers will grow at an annual rate of just 1.6% in the next decade," Hall said. "But Global Insight, the economic consulting firm conducting the study for ATA, predicts over the next 10 years, economic growth will generate a need for a 2.2% average annual increase in long-haul heavy truck drivers, or 320,000 jobs overall."

"Further exacerbating the ongoing driver shortage is the retention factor or 'driver turnover' resulting from a driver moving from carrier to carrier," Hall said. "Although the current driver shortage is set at 20,000 drivers, it seems larger to the industry because of a high degree of driver 'churning,' or moving from carrier to carrier. The industry reached a record high during the third quarter of last year with a turnover rate of 134%."

Hall pointed out that the United States, with 4.6 percent of the world's population, produces 17.5 per cent of the world's oil and consumes 23.6 percent.

"The America cannot continue the twin paths of domestic under supply and over consumption," he said. "The United States imported 12.9 million barrels in 2004, or at least 63 per cent of total consumption. That is up from 35 percent in 1973. It should be noted that the trucking industry alone, consumes 60 million gallons of fuel annually, 70 per cent of which is diesel. The U.S. share of imported oil is projected to grow to nearly 70 per cent."

The U.S. agricultural sector is the largest user of freight transportation services in this country, Hall said. In fact, agriculture accounts for nearly one-third of all freight transportation services provided in this country, calculated by summing the movements of raw agricultural commodities (fruits, vegetables, livestock, grains, timber) together with the movements of processed products (feedstuffs, canned food, lumber) and agricultural inputs (fertilizer, pesticides, farm machinery).

Agricultural commodities and products such as grains,



Fletcher Hall

are bulky and of low value. Others, such as fresh fruits and vegetables, and meats are highly perishable and high value. Still others, such as livestock, require specialized handling and equipment, Hall pointed out. Modern commercial agriculture is also input-intensive, using a broad range of products from fertilizers to feed additives. These inputs generate demands for truck transportation, and their costs are affected by the price and availability of various forms of energy, primarily oil.

Policy options to increase production of alternative liquid fuels, at the lowest cost to consumers and the government are essential, and there is evidence that many may not be cost effective, Hall said. "In the case of ethanol and biodiesel, we have fixed subsidies that do not vary in any way with market conditions. For other alternative liquid fuels we have used loan guarantees, tax credits, and other mechanisms that may not effectively target the necessary risk and cost reductions. Further examination of these incentives is necessary."

Of the 3.4 million truck drivers on the road, 1.3 million are long-haul truckers, the driver segment most severely impacted by the shortage. According to a 2004 ATA-commissioned study that qualified and quantified the national shortage within the truckload sector of truck transportation, the truckload sector is currently short 20,000 drivers. Further, the study predicted that this number is expected to increase five-fold (110,000) by 2014 if demographic trends and slow labor growth in truck driving continue.

The industry also is challenged with finding qualified drivers, Hall said. Insurance companies and the federal government have placed restrictions on whom a motor carrier company can and cannot hire. As a result, trucking companies must often reject potential driver recruits that do not meet prescribed criteria. These hiring challenges have escalated in recent years as government and industry have tightened security and safety measures.



Joseph Morris

Although the fuel-tax system of financing highways is under pressure, it's not broken, but it's bent a little bit.

As a result, the United States should look at ways to charge a per-mile fee as a more equitable way to fund highway maintenance and expansion, according to a presentation at the Fall 2007 MHTA meeting by Joseph Morris of the Transportation Research Board.

The TRB is a private nonprofit organization operating under the National Academy of Sciences. It provides advice on transportation policy matters to the government. It has private, as well as government, sponsors.

Recently the TRB did a study titled "The Fuel Tax and Alternatives for Transportation Finance." The committee that came up with recommendation included Dave Galt, former Montana state transportation department director.

The study wasn't about how much to spend on transportation, but rather about the best way to raise revenue, not how much, Morris told MHTA.

Currently highways primarily are funded by taxes on gasoline and diesel fuel, vehicle registration fees and tolls. In 2005 those sources accounted for \$11.5 billion, 81% of total highway funding in the country.

Each year federal fuel taxes account for about a third of all highway revenue collected, but the federal government provides about two thirds of the money spent on highways.

The problem facing the nation is that "lane miles are not expanding nearly as fast as traffic is expanding" and "we spend a lot of money on road improvements that don't expand capacity," Morris observed.

The study found that the current funding system should be adequate for the nation's needs for the next 15 years. The system has been stable and resilient for the past 50 years, Morris pointed out.

"It's been a pretty good financing system," Morris said. "The division of responsibility between the feds, state and local governments has worked pretty well."

Key weaknesses of the system are that unnecessary costs are tolerated because of a poor pricing system and that economically unjustifiable projects are constructed because of a weak checks system.

Highway Financing System Is Bent, But Not Broken

The study committee concluded that the public would benefit from a transition to a fee structure that more directly charges for actual road use.

This might include variable charges on toll ways, depending on traffic volumes and time of day, or it could include road use metering and mileage charging, using intelligent technology to measure and charge for the use of the roads.

Germany already has a system in place under which heavy trucks are charged by the mile automatically by GPS. The fee is collected on trucks heavier than 12 tons. Some 600,000 German trucks are equipped with these GPS monitoring devices. The system is not mandatory and trucking companies can pay the toll via an internet site.

The report is available on line at <http://trb.org/publications/sr/sr285.pdf>.

Money's Not the Only Issue

Continued from Page 9

Governors Association and the American Association of Motor Vehicle Administrators, the act will cost states more than \$11 billion to implement over five years and will have a major impact on services to the public.

Mullett observed that the act will turn state DMV workers in to federal immigration officials. The National Conference of State Legislatures says implementing the act will cost states more than \$11 billion over five years.

Privacy concerns are at the heart of resistance to REAL ID, Mullett said. The act give authority over the program to the US Department of Homeland Security and requires display of the holder's address or principal residence, with no exceptions for crime victims, judges or others who might be concerned about their safety.

It requires a "common machine-readable" code, which raises questions about data protection and third-party access.

Regarding the threat of a pandemic infection related to foods or goods moved from place to place, Mullett said the nation hasn't done much to plan how to handle such an event.

"The first congressman who finds a dead seagull in his backyard, we're going to have a big problem," Mullett said. "They're going to try to pass legislation," but without much advance thought.

"If we don't plan for it from border to border, out of fear there will be a lot of irrational decisions made." "If it never happens, great. But it's really important to talk about how do you keep transportation going?"

ATA Prefers 'Tried and True'

Private Toll Roads Opposed

The American Trucking Associations generally oppose public-private partnerships (PPPs) owning or having long-term leases on the nation's highway.

"ATA is old-fashioned," said Tim Lynch, ATA senior vice president. "We like the old tried and true — fuel tax, registration fees, special purpose fees."

Lynch spoke at the summer conference of the Multi-State Highway Transportation Agreement in Carson City, NV, in July 2007.

He told MHTA legislators that "we're not unsympathetic to the challenges you face. We want to be helpful and cooperative."

Lynch said in 2007 New Jersey was facing a statewide budget shortfall of about \$50 billion. Gov. John Corzine had a plan to lease the New Jersey Turnpike to a private entity for about \$30 billion. The money would have been used to reduce the state's bonded debt. ATA opposed the plan because the money wouldn't have been used exclusively for roads.

Public-private partnerships are already allowed in more than 20 states.

The trucking organization recognizes that there is an ongoing debate about how to finance the nation's highway needs in the future, and it's possible that PPP supporters will win, according to Lynch.

If that happens, ATA has its own ideas of how PPPs should operate, Lynch said. The ATA policy states:

"ATA strongly opposes the lease or sale of toll roads, bridges or tunnels to private parties for the purpose of funding highway Infrastructure.

"If such a facility is sold leased ATA recommends the following:

"Proceeds derived by the government from the sale or lease of a toll facility should be used exclusively for highway investments on un-tolled facilities. Facility customers should not be required to subsidize unrelated government functions.

"Toll rates should be set at a level that covers only the costs of construction, reconstruction, maintenance and operation of the associated toll facility, plus a reasonable return on investment and debt service costs. Any differences in toll rates among vehicle classes should be reasonable.

"Lessees should provide adequate facilities for the trucking industry, including access to food, fuel, and safe parking accommodations for long-term rest.

"A rebate of federal and state fuel taxes for users of the facility.

"A prohibition on the private party imposing its own restrictions or special fees on vehicle configurations (e.g. over-



Tim Lynch

size/overweight vehicles) and commodities (e.g. hazardous materials.) It is anticipated that improved truck productivity will be part of any serious discussion of privatization benefits. Therefore increases in vehicle size and weight limits above that allowed under applicable federal or state law is not opposed.

"A sinking fund to ensure that sufficient revenues are available for continued maintenance and operation of the facility.

"Non-compete clauses that prevent improvements to competing highways should not be included as part of a lease or sale agreement.

"Open Road Tolling (ORT) technology that allows motorists to travel at highway speeds must be adopted, and transponder technology must be compatible with technology used on other Interstate toll roads.

"Performance specifications which ensure that the facility is operated and maintained adequately, provides a level of safety that is comparable to similar facilities and provides for acceptable traffic flows.

"A clause that allows the responsible public agency to end the agreement if the public agency believes that continuing the agreement is not in the public's best interest.

"In addition, a process should be established for amending the agreement. An oversight committee should be established by the responsible public agency to monitor the facility and make recommendations to the agency as to whether the agreement should be amended or terminated. This committee should include representatives of all major stakeholders, including the trucking industry."

Fuel Tax Increase The Most Sensible Roads \$ Solution

Raising the federal fuel tax is the most sensible way to increase funding for highways, according to Rebecca Brewster, president and chief operating officer of the American Transportation Research Institute (ATRI).

It costs the federal government only about 0.2% to collect the federal fuel tax. It costs states between one and two percent, Brewster told the MHTA summer 2007 conference.

In contrast, the New Jersey Turnpike Authority in 2004 had \$829 million in revenue and spent about \$251 operating toll booths, about 30%. In 2005 the New York State Thruway Authority collected \$511 million and spent about \$124 million on toll operations, about 24%, she said.

ATRI is a transportation research organization funded by trucking and equipment companies “looking at what works and what the future holds for truck transportation,” Brewster said.

In May 2007 ATRI produced a new booklet on highway funding, “Defining the Legacy for Users: Understanding the Strategies and Implications for Highway Funding.”

ATRI’s research shows that highway congestion is getting worse. Vehicle miles traveled are expected to increase by more than 72% by 2025.

Research suggests a need to invest more than \$222 billion a year to maintain highway infrastructure now, and increasing to \$295 billion annually by 2015.

Highway congestion caused 243 million driver hours lost in 2004 and cost the trucking industry \$7.8 billion, Brewster said. With fuel costs soaring, the financial ef-



Rebecca Brewster

fects of traffic congestion on the trucking industry can only grow, she said.

There are several key factors in the nation’s shortage of highway construction and maintenance money. They include:

- No increase in federal motor fuel tax since 1993.
- Inflation has decreased motor fuel tax purchasing power.
- Tax exemptions reduce user-based revenues.
- Highway user fees diverted to non-highway uses.
- Project “earmarking” diverts \$\$ from critical projects.

While truckers pay nearly 40% of federal highway transportation revenues, governments — major highway users — don’t have to pay federal fuel tax. Brewster said state, local and municipal fleets escape paying \$363 million a year; school buses don’t pay \$146 billion a year; transit buses escape paying \$61 million.

Another quandary for highway funding is that mass transit — which pays no fuel tax — got 17.5 % of the federal fuel tax money in 2005 and is budgeted to get 19% in 2008.

Brewster challenged supporters of toll systems by pointing out that a number of toll systems don’t bring in enough revenue to cover their operating costs. For example, the Central Texas Turnpike System brought in \$76 million in revenue in 2005, but spent \$563 million. The New Jersey Turnpike System brought in \$1.6 billion in 2005, but spent \$1.75 billion.

She pointed out that raising tolls can have the unintended consequence of diverting toll-avoiding traffic to alternate, non-tolled roads, leading to more big wrecks on roads not designed for heavy commercial traffic.

Exemptions Cost \$\$

	Federal Exemptions	State Exemptions	Total
Government Use Vehicles	\$363,000,000	\$155,000,000	\$518,000,000
School Bus	\$146,000,000	\$126,000,000	\$272,000,000
Transit	\$61,000,000	Unknown	\$61,000,000
Federal Use	N/A	\$29,000,000	\$29,000,000
USPS	N/A	\$27,000,000	\$27,000,000
Charitable Orgs.	Unknown	Unknown	Unknown
Total	\$570,000,000	\$337,000,000	\$907,000,000



States Should Finance Roads Using a ‘Balanced Approach’

State legislatures should use “a balanced approach” and “look at a whole menu of options” when considering how to fund new highway construction, according to Jim Reed, transportation program director for the National Conference of State Legislatures (NCSL).

Addressing the Multi-State Highway Transportation Agreement’s summer 2007 conference, Reed said NCSL produced a book, “Transportation Funding Options for States,” in an effort to help legislators make good decisions about highway funding.

NCSL is a non-profit, bipartisan organization whose members are state legislatures, legislators and legislative staff in 50 states and the U.S. territories.

He said one of the most controversial options is the use of PPPs (Private-Public Partnerships) under which governments sell the right to collect tolls to private groups. Those groups either can build new toll roads or take over management of existing roads. The governments use the funds to pay down debt, pay current operating expenses or build and maintain other roads.

Reed said there is an urgent need for more highway capacity, pointing out that during a period in which vehicle miles traveled grew by 76%, highway miles in use grew by only 1.5%.

“Highway congestion costs the country \$65 billion a year,” he said.

In addition, the road purchasing power of motor fuel taxes has dropped sharply. In constant dollars, he said, fuel taxes today are only about half as high as in 1957.

There has been a 22% road construction cost increase for highways in past few years, he said.

Some states have opted to sell bonds to build new roads, but eight states still require pay-as-you-go financing. The states are Idaho, Iowa, Montana, North Dakota, South Dakota, Tennessee and Wyoming.

Some 22 states have authorized PPPs and several projects have already been completed. For example, Chicago sold 99-year toll rights on the Eisenhower Expressway to an Australian-Spanish consortium for \$1.8 billion.

There are four basic forms of PPPs in use in the United States currently, he said. They include:

1) “Asset monetization,” i.e. leasing of an existing state-owned toll road to a private party in return for an up-front payment of a lump sum or payment of annuities spread over the life of the lease. (Chicago, Indiana).

2) Private concessions involving financing, construction and operation of new “greenfield” toll road projects. (Texas)

3) Fixed price contracts under which a private consortium undertakes to design build, operate and maintain (DBOM) a highway (or transit) project and assume the risk of cost overruns and on-time performance. (Colorado)

4) Conversion of existing toll-free roads to toll roads and contracting for their maintenance and operation with a private firm.

Reed said states can benefit from PPPs which:

- Expand money available for transportation projects
- Save money;
- Finish projects quicker;
- Bring private sector practice and innovations into public projects.

He said some observers are troubled about the secrecy involved in negotiations between PPPs and government, and about mixing public and private money.

Toll roads have existed in the United States for hundreds of years. The first private toll road was built in Pennsylvania in 1774, he said. Many early roads were built privately. “A lot of wagon roads to mining towns were tolled.”

Currently 26 states collect tolls on 5,000 miles of roads. Toll revenues have climbed steadily, growing 26.6% from 1998 to 2004, while gas tax revenue grew by 15.7%

Since 1990 new toll roads have been built in California, Colorado, Minnesota, South Carolina and Utah.

Reed pointed out that toll roads are favored by some because they “honor the user pays principle.”

Toll roads are appropriate where they are:

- Projects that might otherwise not be built
- When other revenue sources are not available.
- When tolling makes sense as a revenue source.

But there are other sources that legislatures should consider when looking for highway funding, he said.

They include:

- More general fund support.
- Stop diverting gas tax money to other purposes.
- Add a motor fuels sales tax dedicated to transportation
- Increase the gas tax or index it to inflation.
- Increase motor vehicle registration and driver license fees.
- Adopt a vehicle per-mile fee system.



Jim Reed

Brakes, Speed Main Reasons For Truck Crashes

Bad brakes and traveling too fast for conditions were the most important factors in highway crashes involving large trucks in 2005, according to Steve Keppler, director of policy and programs for the Commercial Vehicle Safety Alliance (CVSA).

Speaking at the summer conference of the Multi-State Highway Transportation Agreement, Keppler observed that heavy trucks were involved in about 8% of the nation's fatal highway accidents that year, leading to 5,212 deaths. In addition, large trucks were involved in about 82,000 crashes in which people were injured, about 2% of the total in the nation.

Keppler observed that large trucks "are over-represented in fatal crashes." That's a "matter of physics," he said

A CVSA study showed that most truck accidents were driver related.

Among the 440,000 large truck crashes in 2005, the causes included:

- Brake problems, 41,000;
- Too fast for conditions, 32,000;
- Unfamiliar with roadway, 30,000;
- Roadway factors, 29,000;
- OTC Drugs, 24,000;
- Inadequate surveillance, 19,000;
- Fatigue, 18,000;
- Work pressure from carrier, 16,000;
- Inattention, 12,000
- External distraction, 11,000
- Tire problems, 8,000;
- Following too closely, 7,000;
- Jackknife, 7,000;
- Cargo shift, 6,000.

Keppler said that studies have shown that in crashes, 56% were the responsibility of the auto driver, not the truck driver.

He said CVSA hopes that technological improvements can enhance safety. These tools include on-board safety systems, vehicle stability systems, lane departure warning devices and brake monitoring.



Steve Keppler

Ethanol, Biodiesel Won't Fix U.S. Fuel Problems

Don't look for biodiesel or ethanol to solve the nation's energy problems.

Already the demand for corn for ethanol and soybeans for oil has driven up the price, making both food and the fuels produced more expensive.

That was the message of Mike Tunnell, director of environmental research for the American Transportation Research Institute.

Tunnell told the summer 2007 MHTA conference that while the President has called for production of about 35 billion gallons of biofuels by 2017, industry experts think that the U.S. corn supply can't produce more than about 15 billion gallons of ethanol. In addition demand-induced price increases will make it less economical to produce biofuels.

"What you'll hear is that (biofuels) can lessen our dependence of foreign oil and reduce greenhouse gases," Tunnell said. U.S. consumption of oil is expected to grow from about 4.8 billion barrels a year now to 6.8 billion barrels in 2030. In 2006 the U.S. accounted for slightly less than 25% of the world's oil consumption, making it the world's largest consumer.

Ethanol represented about 3% of the volume of fuel used for gasoline.

Government incentives play a huge role in biofuels. The Volumetric Ethanol Excise Tax Credit (VEETC) provides a 51¢ a gallon tax credit to fuel blenders for ethanol blended with gasoline. This cost the federal government about \$2.7 billion in foregone revenue in 2006, Tunnell said. A 54¢ a gallon duty on imported ethanol is intended to offset that cost.

Part of the problem with biofuels is that they're not compatible with most of the nation's fuel distribution infrastructure. Alcohol eats up pipeline systems and biodiesel has solvent properties that can loosen deposits at the bottom of storage tanks.

Biodiesel costs more than petroleum-derived diesel and it's not available in many locations. It also tends to gel in cold weather, Tunnell said.

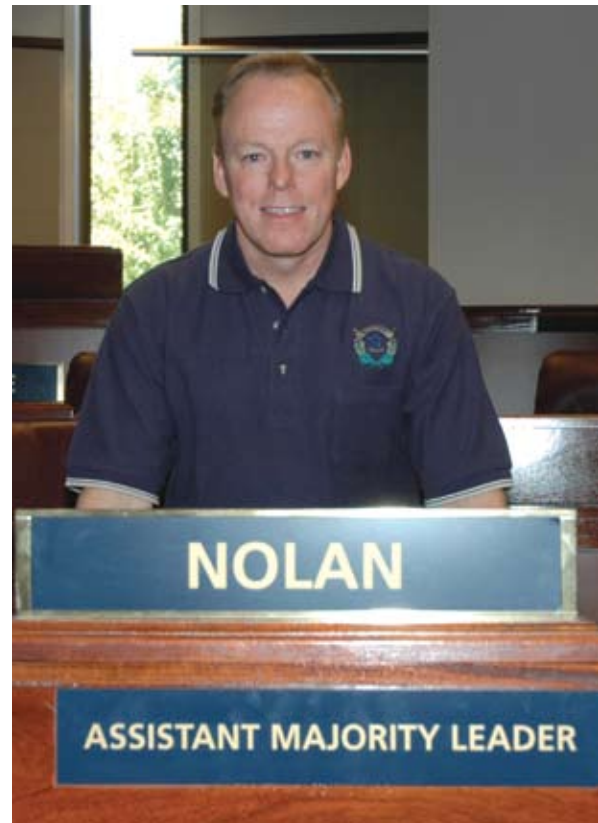


Mike Tunnell

FUN ON THE BOAT — A group of MHTA tourists enjoys a pleasant evening aboard the M.S. Dixie Belle on Lake Tahoe. The excursion was part of the summer 2007 session of MHTA.



KEY PEOPLE — Ben Havdahl, executive consultant for MHTA, celebrated his 76th birthday during the summer 2007 MHTA meeting. At right, Dennis Nolan, 2007 MHTA chairman, poses at his desk in the Nevada Senate chambers in Carson City.



WORK SESSION — Participants in the fall 2007 session split into work groups to discuss MHTA's strengths and weaknesses and to develop plans for the future of the organization. The fall session was at Carefree, AZ.



Headin' To Helena

MHTA Summer Transportation Conference

June 26-28, 2008

Helena, Montana

Hotel: Jorgenson's Inn & Suites

Reservations: 1-800-272-1770 (Mention MHTA)
Government Rate of \$73 plus tax for single/double;
\$89 plus tax for suite

Preliminary Schedule:

Thursday, June 26 — (Plan to arrive on Wednesday afternoon/evening)

* Registration Begins at hotel: 9:30 am

* Industry Advisory Meeting 10:00 am
(All invited)

* MHTA, Inc. Board Meeting 1:30 pm

* Highway Transportation 101 Orientation Session 4 pm
(This meeting is specially designed for new legislators and others new to commercial transportation issues.)

BBQ and Missouri River Cruise 5:30 pm

Friday — * General Session in the Senate Chambers, Montana State Capitol (MT Gov Brian Schweitzer, Speaker)

* Lunch in Capitol Rotunda

* Afternoon Session of panel discussions and wrap-up discussion on MHTA Strategic Planning.

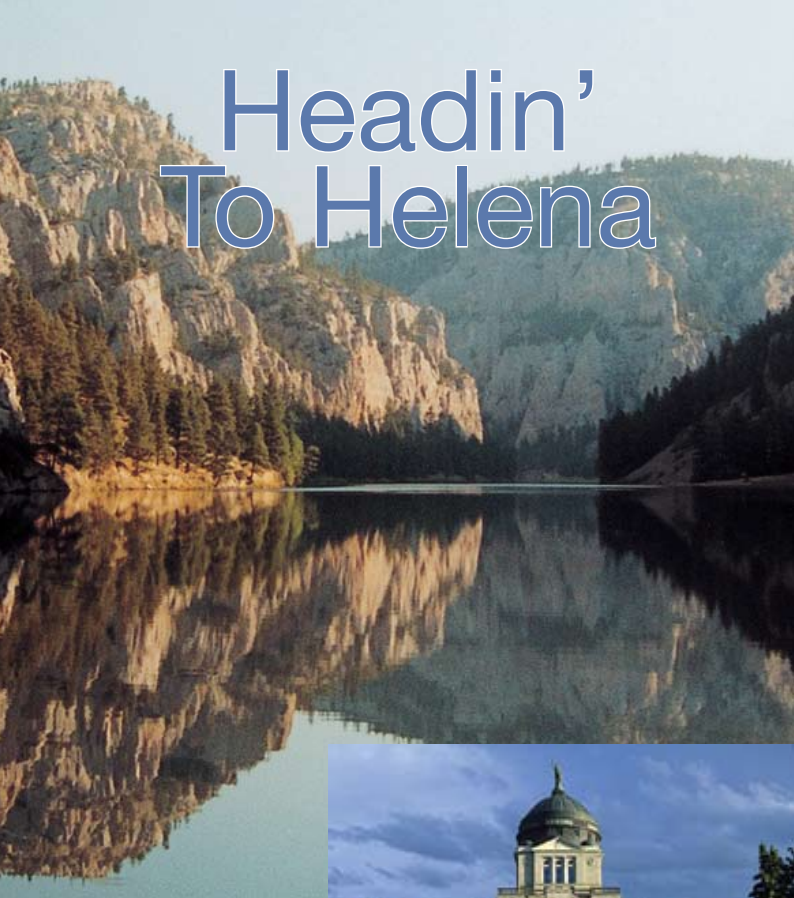
* Informal Networking Reception at Jorgenson's in the evening/dinner on own.

Saturday — 8:30 am Cooperating Committee Meeting in State Capitol Committee Room (Legislators, plan to attend. All others welcome.)

Noon Adjourn

Conference Materials will be available on line and in the mail after April 1st.

For further information: 1-888-265-7627 or mhta2@cox.net



L&C's GATES OF THE MOUNTAINS – Traveling up the Missouri River in June 1805 Lewis and Clark would have seen these mountains. The Montana State Capitol will be the meeting place for many MHTA work sessions during the Summer Transportation Conference June 26-28.



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