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Transportation Reauthorization Still Deadlocked

As of this writing, action (or inaction) in Congress on reauthorizing the Federal Transportation funding remains deadlocked by differing interests between the Bush administration and factions within the House of Representatives and Senate. This stalemate led to approval on April 28th of a third extension of the old \$218 billion Act, TEA 21, to keep the US DOT in operation for another 2 months until June 30th. Let's try to decipher the competing positions.

First, the Administration's position. House republicans have made several attempts to get the administration to agree to a higher funding level than the administrations' proposed version, SAFTEA, at \$256 billion. At one point in the last few weeks it appeared that perhaps the administration would agree to the House's proposed \$275 billion figure; but, hopes were dashed when the Administration backed away and reiterated its previous position that the President would veto any bill exceeding the \$256 billion figure and/or including a re-opener clause that would allow congress to reconsider the 6-year spending levels next year, after the elections. The ARTBA has criticized the administration's \$256 billion bill as being an actual decrease of 10.7% in purchasing power during the 2004-2009, six year period compared to the last Act.

The House of Representatives has approved a bill, TEALU (HR 3550) for \$275 billion (sometimes calculated to cost \$284 billion) that is considerably less than its original proposal for \$375 billion. House republican leaders have been trying to reach an accommodation with the administration before going into conference with the Senate that would not embarrass the President during the re-

election campaign. But many members of the House, especially democratic members, would prefer a higher level of funding, at least equal to the Senate's passed version of SAFTEA at \$ 318 billion. The House bill is filled with earmarks (read: pork barrel projects) that are very popular with the representatives, but that take a large fraction of the funding out of the discretion of the state transportation departments.

In the Senate there seems to be strong bi-partisan support for the bill that passed the Senate, SAFTEA (S1072) at \$318 billion. However, Senate Democrats have been blocking formation of a conference committee, because the republican leadership won't give them the representation on the committee that they want. Once again, this is probably an effort to avoid having a showdown with the President during the campaign. The Senate version of the act is the bill that the states prefer. It corrects many funding inequities (ethanol and equity issues) and ties up a smaller percentage of the funds for earmarks.

Is there any way out of this impasse? We need to do our best to support an adequate federal funding level. It is important to continue letting your Senators, Congressmen and especially the President know how important the Senate's proposed \$318 billion level of funding is to supporting the recovering US economy.

Use the following websites or addresses to send a message to your elected officials:

<http://www.house.gov/writerep/>

<http://voinovich.senate.gov/contact/index.htm>

<http://dewine.senate.gov/>

president@whitehouse.gov

Stay up-to-date on the action in Washington D.C. by monitoring the American Highway Users Alliance website <http://www.highways.org/>

And, as if that weren't enough bad fiscal news ---

Bill Submitted in Ohio House to Delay State Gas Tax Increase

A bill, HB 458, has been submitted in the Ohio legislature by State Representative, Timothy J. Grendell (R, Dist. 98, Chesterland), to delay implementation of the next 2 scheduled annual increases in the state motor fuel tax.

As of July 1, the Ohio gas tax is set to go from 24 cents a gallon to 26 cents. Another 2-cent increase is to take effect July 1, 2005. Each penny increase raises about \$63 million a year, which is distributed to state, county and local governments to improve roads. State legislators approved the increases as part of a transportation bill passed last year. Losing the expected revenue could seriously impair the State's "Jobs and Progress" plan for improving highways in the state.

Local governments are even more desperate for the added revenue to replace purchasing power lost to inflation during the many years since the last gas tax increase. Glenn Sprowls, Executive Director of the County Engineers Association of Ohio was quoted in the Cleveland Plain Dealer as saying, "That money was the first glimmer of hope we've seen in a while," "Nobody wants to see that money disappear. We've got too many things that need to get done."

The first hearing on the bill before the House Ways and Means Committee has been postponed until May 19th, so it is still too early to see how much support there is for the bill. With the price of

regular gas varying by 20 cents at the pumps of the local station on any given day, who knows what might happen.

The gas tax increase last year was long overdue and was only accomplished by the courage and dedication of the Governor and its many supporters who recognized the needs. It is well known that user delay on congested roads and wear and tear due to inadequately maintained roads cost motorists much more than the proposed increase in road user fees. Delaying the gas tax increase would provide only an insignificant temporary relief for tax payers while increasing their future burden by delaying the road improvements that would help reduce the costs of travel.

Let your state representative and Senator know that you think delaying the state gas tax increase would be a bad idea.

Find contact information for your:

State Representative at www.house.state.oh.us/jsps/Representatives.jsp

State Senator at www.senate.state.oh.us/senators/

Seminars Announced

Specifying Hot Mix Asphalt Pavements, July 14, 2004, Toledo, OH. The Ohio Center for Asphalt Pavement Education (OCAPE) is offering its updated course for designers on how to specify asphalt pavements by adapting ODOT specifications. This course has been very popular with specifiers since ODOT drastically revised its specifications in 2002. Find complete details at www.flexiblepavements.org/calendar.html

PerRoad 2.4 Demonstration, September 14, 2004, Sharonville, OH. Developed at NCAT, **PerRoad 2.4** is a new design procedure and software for the analysis of flexible and Perpetual Pavements structures. With the delay of the AASHTO 2002 Design Guide, **PerRoad 2.4** is the mechanistic design tool the industry needs now to design pavements and especially, Perpetual Pavements. Find complete details at www.flexiblepavements.org/calendar.html

SILICA Awareness & Media Forum, Ohio Aggregates & Industrial Minerals Association (OAIMA) There is an upcoming SILICA Awareness & Media Forum sponsored by the OAIMA, Wednesday, June 16, 2004, to be held at Marriott North, 6500 Doubletree Ave., Columbus, OH 43229. OAIMA is pleased to offer FPO members their member rates for what is one of the most important challenges in the near future. Many FPO members will be facing the same issues (dust, cement, etc.) and will find this helpful. Call the OAIMA office **614-428-7954** for the agenda and a registration form for the June 16th Silica Forum.

Public Works Officials: Attend our Technical Session on asphalt pavement maintenance at the Public Works Expo at the Holiday Inn, Rockside Road, Independence, OH on May 19th. For information call Gordon Forsmark, Conference Coordinator, at 800-333-6309.

County Engineers: Visit our exhibit Booth at the CCAO/CEAO Summer Conference at the Lodge at Sawmill Creek Resort, Huron, OH on June 14th. Register on line at www.ceao.org

OCA Wins Approval of Work-Zone Safety Bill

The Ohio Contractor's Association is to be congratulated on their work in getting Ohio House Bill 52 enacted into law. The bill will take effect as soon as it is signed by the Governor, so it will be in effect for this year's construction season.

The law implements tougher penalties on a motorist who, while speeding, kills or injures someone in a work zone. The law also requires ODOT and local governments to post signs about the new penalties in any work zone over five days in duration, and any other work zone the ODOT Director deems dangerous. Read the law at http://www.legislature.state.oh.us/bills.cfm?ID=125_HB_52

Perhaps the new signs warning of jail time will finally catch the attention of motorists and encourage them to slow down in work zones. Be careful out there.

It's Déjà vu all over again as ODOT Begins Facilitated Meetings

Last year the legislature mandated the formation of a Pavement Selection Advisory Council (PSAC) and the hiring of a Neutral Third Party consultant (NTP) to review ODOT's pavement type selection practices. A year of hard labor and \$200,000 later we have a final report: which, while it endorsed ODOT's practices, contains some modifications for ODOT to make to its process. One recommendation of the NTP report was to hire a communications facilitator to conduct structured meetings with the pavement associations to resolve issues left unresolved in the NTP final report.

Those facilitated meetings began on April 28th with John Cameron of TransTech Management, Inc. as the facilitator meeting with all the affected parties, ODOT, FPO and OCCA. The first meeting was devoted to organizational matters including the setting of ground rules for the conduct of the subsequent meetings and defining what the parties would consider as success in the conduct of the meetings. The facilitator had already conducted separate meetings with the individual parties to begin identifying their concerns. FPO proposed a number of issues that need to be resolved in the pavement selection process. Among these are issues pertaining to:

- flexible pavement design parameters,
- data to be used in the life cycle cost analysis process and
- primary and secondary factors to be considered in making the pavement type selection.

For those who were involved with the PSAC, this seems like the movie, "Ground Hog Day", as most of these issues were extensively discussed during the PSAC process. However, FPO remains dedicated to working with the ODOT to develop a fact based process that selects the best pavement for Ohio's taxpayers.

Ohio Asphalt industry Awards 17 Scholarships

At its Annual Meeting in March, Flexible Pavements of Ohio announced on behalf of the Ohio asphalt industry the awarding of seventeen scholarships to university engineering students for the 2004-2005 academic year. The asphalt technology scholarships are sponsored by the following member companies:

Barrett Paving Materials, Inc.

Burgett Family/ Kokosing Construction Company, Inc.
Erie Blacktop
Gerken Paving, Inc.
John R. Jurgensen Co./ Valley Asphalt, Inc.
S.E. Johnson Companies, Inc.
Kenmore Construction Co.
Northstar Asphalt, Inc.
Ohio Cat and Caterpillar, Inc.
Shelly Company

Checks for the scholarships are distributed in the fall at the beginning of the academic year. Details of the program and recipients can be found at

www.flexiblepavements.org/scholarship.html

Look for full coverage of the scholarship program and awards in the fall edition of Ohio Asphalt magazine.

Join Flexible Pavements of Ohio

FPO encourages association membership on the part of both private companies and public agencies, which support the common goal of improving the quality of asphalt pavements constructed in Ohio. FPO has categories of membership for bituminous concrete producers, contractors, aggregate producers, equipment manufacturers and distributors, asphalt marketers, general membership, architects and highway consulting engineers and political subdivisions. For complete details on becoming a member of FPO see FAQ #14 at www.flexiblepavements.org/faq.html and follow the links for the brochures and application forms.

Register to Receive Ohio HMA Current News or Ohio Asphalt Magazine

Flexible Pavements of Ohio publishes Ohio Hot-Mix Asphalt Current News, only electronically to the Flexible Pavements of Ohio website www.flexiblepavements.org and for distribution by e-mail. For those who opt for direct distribution, we will send an e-mail notification of the newsletter availability with a link to the site or send the newsletter as an attachment as you prefer. View previous editions of Ohio Hot-Mix Asphalt Current news and Ohio Asphalt magazine at

www.flexiblepavements.org/newsletter.html

To receive the FPO electronic newsletter, send an e-mail to flexpave@ameritech.net with the e-mail addresses where you wish to receive our newsletter and indicate whether you prefer an attachment or just the notification with a link.

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