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Introduced by
Senators Gould: Harper

A CONCURRENT MEMORIAL

URGING THE UNITED STATES CONGRESS TO ENACT LEGISLATION ALLOWING STATES TO OPT
OUT OF THE FEDERAL HIGHWAY TRANSPORTATION SYSTEM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 To the Congress of the United States of America:

2 Your memorialist respectfully represents:

3 Whereas, the interstate highway system was begun in 1956 with the goal
4 of simplifying interstate travel through the construction of a federal road
5 system. To finance this project, a federal fuel tax was imposed whereby
6 states pay into the Highway User Fund with monies returned to the states
7 based on complex distribution formulas. Although the interstate project was
8 completed in the early 1980s, the fuel tax remains in place. Under this
9 antiquated and regressive system, many states are shortchanged while others
10 receive far more than they put into the fund; and

11 Whereas, the current system has created "donee" and "donor" states in
12 which some states, primarily southern and midwestern states, subsidize the
13 road needs of their more affluent northern and mountain western neighbors.
14 While states were initially willing to contribute more than their share to
15 the federal highway system to achieve a common nationwide goal – the
16 interstate system – the current program pits donee states against donor
17 states and has created a vast spoils system in which less than two-thirds of
18 the monies collected goes to transportation-related projects. Instead, much
19 of the highway trust fund monies go to congressionally earmarked projects
20 that benefit only local constituencies; and

21 Whereas, traffic on the federal highway system has more than doubled in
22 the past twenty years, yet the capacity of the system has remained virtually
23 unchanged. Federal highway monies go primarily for maintenance of existing
24 roads, not construction of new roads, resulting in billions of wasted dollars
25 each year due to congestion in some of the most populated areas of the
26 country; and

27 Whereas, today's surface transportation problems are largely local and
28 regional in nature, and state and local governments are outspending the
29 federal government on transportation spending by a ratio of two to one.
30 Transportation needs are better able to be addressed and met at the local and
31 regional levels instead of the federal level; and

32 Whereas, under the current system, the federal government is able to
33 force unwanted mandates on states by threatening to withhold transportation
34 monies unless states comply; and

35 Whereas, the federal highway system is nearly bankrupt and monies from
36 the program will diminish dramatically after 2009; and

37 Whereas, the federal highway program faces reauthorization in 2009, and
38 now is the time to take steps to modify the current failed system despite
39 resistance from congressional members who represent "winner" states.
40 Congress should consider ending the federal highway program and turning back
41 to the states the responsibility and right to collect the fuel tax. In the
42 alternative, Congress could maintain the program in its current form but
43 establish a mechanism that would allow individual states to opt out of the
44 program and replace the federal taxes with their own levies.

1 Wherefore your memorialist, the Senate of the State of Arizona, the House of
2 Representatives concurring, prays:
3 1. That the United States Congress enact legislation either ending the
4 current federal highway program or allowing states to opt out of the program
5 and maintain their own roads.
6 2. That the Secretary of State of the State of Arizona transmit copies
7 of this Memorial to the President of the United States Senate, the Speaker of
8 the United States House of Representatives and each Member of Congress from
9 the State of Arizona.