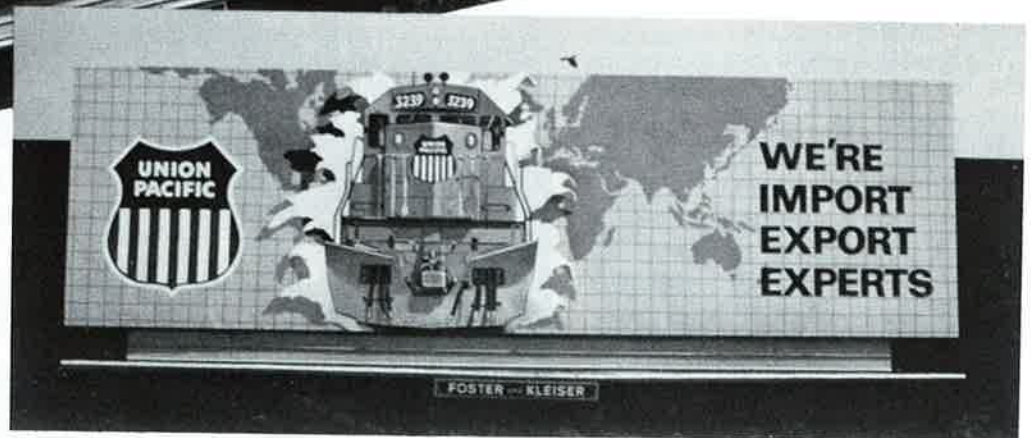
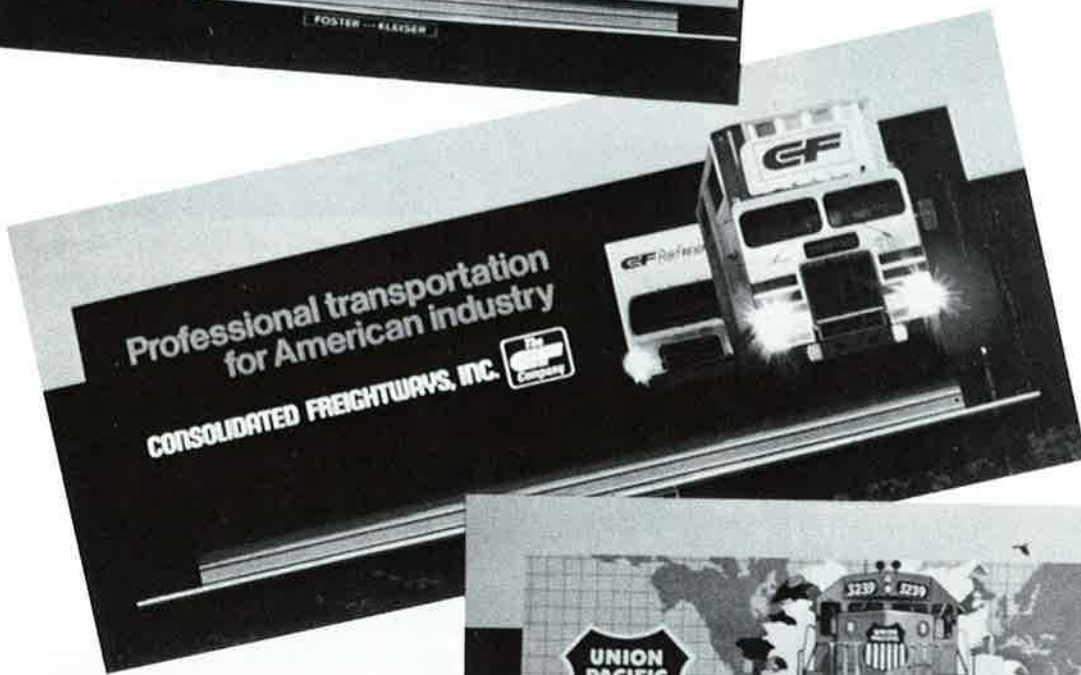


The Highway Beautification Program: A Federal Viewpoint

by Myron F. Laible



The Highway Beautification Program has been the subject of four major studies and five amendments since 1965. These studies typify the conflicts in the program as well as difficulties in arriving at a unified or concise program objective.

As a part of the DOT's Federal Highway Administration, Myron Laible has been involved in the highway beautification program since the mid-1970's. More recently, his involvement is with managing the daily operation of the beautification program. His background includes an undergraduate degree in Business Administration from the University of Montana. Also, he will receive his Masters in Public Administration in late 1983 from George Mason University, Fairfax, VA. Laible is a member of Potomac Chapter 14. This article and graphics first appeared in the March 1983 issue of Signs of the Times.

First, let's look at highway beautification in the context of the overall transportation program. The classical federal-aid highway program is considered a partnership arrangement, with the states selecting and then building the highways. The federal government participates in the cost of the program and provides oversight in order to protect the national interest.

How does beautification fit into this scheme? It is a regulatory program to control the erection and maintenance of outdoor advertising signs and junkyards along federal-aid primary and interstate routes. In effect, it is a federal overlay onto state and local land use controls. States were required to enact highway beautification controls that mirrored the federal legislation or be subject to a 10% reduction in their federal-aid highway apportionment.

The federal interest in highway beautification began prior to 1965. The impetus for controlling outdoor advertising arose in 1956 with the advent of the interstate highway program.

In 1958, Congress enacted a voluntary program under which states could enter into agreements with the federal government to control outdoor advertising and thereby become eligible for a bonus payment in the amount of one-half of 1% of the construction costs of the interstate highways in the state. To date, the Federal Highway Administration (FHWA) has paid over \$40 million in bonus claims to the 23 states still in the program. Currently, FHWA has approximately \$5 million in outstanding claims it is unable to honor due to lack of congressional appropri-

ations. It is estimated that approximately \$91 million will be necessary to reimburse the states to complete the bonus program.

The 1965 Act replaced the voluntary program (carrot approach) with the mandatory compliance law (stick approach). It was an outgrowth of President Johnson's message to Congress in February 1965 and a follow-up to the National Conference on Natural Beauty in May of that year. Approximately 1,000 conservationists, legislators, industry representatives, government officials and citizens took part. The momentum of that conference resulted in passage of the Act.

The coalition which was put together for the passage of the Act quickly fell apart. The diverse views of those parties with strong interests or stakes in the program became apparent. The congressional intent was set out in broad, elusive terms which made implementation of the Act hostage to specific topical issues. Issues such as cash compensation, signs in commercial or industrial areas, and funding have re-

mained controversial from the program's inception.

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The first study of the beautification program was announced in 1969. It was a Department of Transportation study and was an outgrowth of the controversy surrounding the slow implementation of the program. The House Committee on Public Works, in a report dated September 1970, H. Rept. 91-40, succinctly phrased a major problem which persists today, 13 years later:

Much of the difficulty of enacting and administering an outdoor advertising control law in a manner satisfactory to all concerned lies in the fact that those concerned often possess widely divergent views, frequently totally incompatible. Certain conservation elements hold out for

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