

HIGHWAY CODE FOR OREGON PREPARED BY FEDERAL OFFICIALS

U. S. Office of Public Roads Draws Proposed Draft From Its Past Experience.

LEGISLATION IS PENDING

Highway Code Revision of State Road Scheme to Be Sought by Measure Based on Suggestions Made.

The model highway code for Oregon, which was drafted by United States office of public roads on the request of the state association of county judges and commissioners has been received and is now being considered by the committee which is preparing the draft of a revised code for submission to the legislature.

The model code prepared by the federal officials follows the standard form of the office of public roads and is based on information and experience accumulated during years of active study and cooperation in the various states of the union.

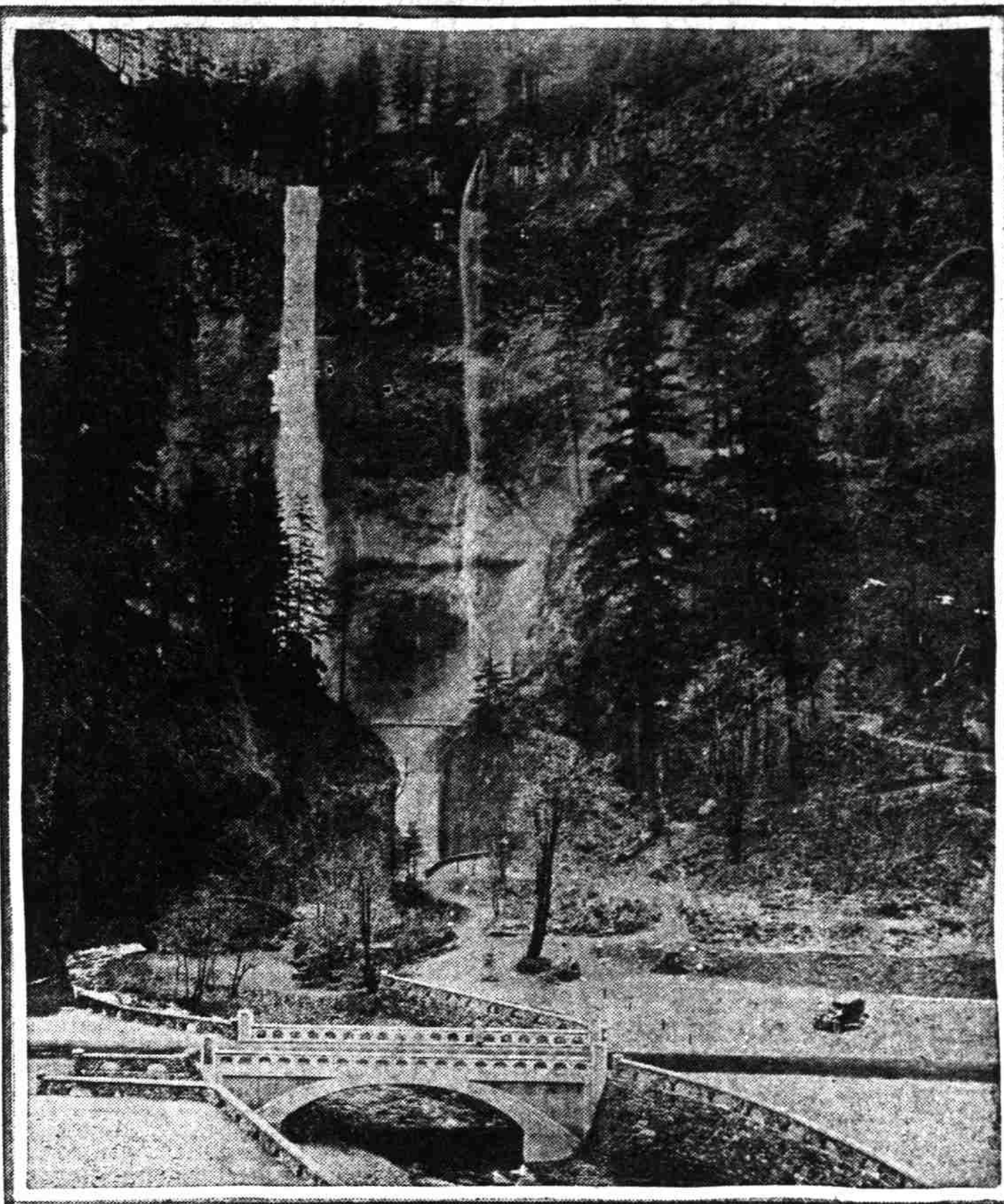
It provides for a non-partisan state highway commission with power to appoint a state highway engineer who is given supervising authority over county and district roads from an engineering point of view. It also provides for a uniform road accounting system for counties, the abolishment of road supervisors and the removal of all highway matters from the duties of county surveyors. It established the office of county engineer and when two or more counties wish to cooperate a district engineer.

The first section of the proposed code creates a state highway commission, two members of which are to be appointed by the governor, one from each of the two majority political parties, for a term of four years. The state engineer is by virtue of his office made a third member of the commission. The two appointive members are to receive a compensation of \$500 per annum, together with necessary expenses in connection with their duties.

Analyzing the proposed code, L. I. Hewes, district engineer of the United States office of public roads, says:

Politics Removed.
"It is desirable, particularly in those states which have more lately begun state highway activity, to provide a commission which shall, in a sense, constitute a deliberative body constantly watching and guiding the highway policy of the state. Such a body has been found useful, particularly if it can be freed from political influences. To give it continuity the terms of its members overlap and then continue four years. A direct method of eliminating politics is to recognize frankly the major political groups in the appointment. Where the experience and knowledge of any state officer are particularly valuable in the work of a state highway commission, there is good reason to make use of such ability. Therefore, the office of

MULTNOMAH FALLS FROM THE HIGHWAY



This photograph shows the proximity of the Columbia river highway to Multnomah Falls (height 607 feet). In the background is seen the foot bridge whence a close view of the falls is obtainable.

state engineer is drawn upon in the present proposed code to supply a member of the commission. It is thereby equipped at the outset with information and experience acquired at the expense of the state. The highway commission, it is thought, becomes more serviceable to the people if the salary of the appointive members be made nominal.

"The commission shall appoint a bona fide state highway engineer and fix his salary. It is the intention to have the commission represent the people, and to confer with the governor and the legislature, and equally to provide that the state highway engineer shall have authority concerning technical details of highway construction and maintenance. The commission

shapes the general policy, and the state highway engineer carries it out in keeping with the best modern highway practice. It can, for example, be responsible for the recommendation at least of the layout of main highways. The policy of the commission would necessarily include a study of the state with respect to highways, the selection of the order of improvement,

and the decision of questions of the distribution of state funds under the law.

"The state highway engineer should be responsible to the state highway commission, but should also be a man of independence of thought. The commission should expect of him positive suggestions supported by technical knowledge for the enterprise. His hands should not be tied by the commission in matters of his profession.

Duty of Highway Engineer.
"The state highway engineer shall be the custodian of records, and with the approval of the commission, shall provide a general highway plan of the state, based on the system of state roads tentatively established, with the distinct understanding that such a system may be increased not to exceed 10 per cent of the mileage of the state. It has come to be well understood that for the best results there must be in each state a definite plan or layout or program of construction, and that this layout or program should include the first roads to be made in the state. To enable an intelligent layout of roads, the state highway engineer is empowered to secure information from the counties under penalty. He must investigate the best systems of construction and maintenance in relation to materials and other local conditions. To be of full service to the state, he is also required to furnish information and data to local authorities upon request. His major duties, however, will be the preparation of plans and estimates and specifications for state roads, and the carrying out of the construction and maintenance of such roads.

"There is created a state highway fund for the construction of state highways. After there has been deducted from that fund sufficient money to run the state highway department, or overhead and engineering expenses, and an amount sufficient to maintain state highways already built, and a sum sufficient to meet the federal aid, the remainder is apportioned to the several counties in proportion to their valuation (excluding the valuation of cities of over \$500) for direct aid to those counties which apply for it in further construction of section of state roads within the borders of the respective counties. With the present resources of the state, it is doubtful if the residue of the state highway fund will be any considerable sum.

"Nevertheless, the principle of distribution remains in force because, although the state highway commission is empowered to improve a section of state highway and pay the entire cost from the state highway fund and from the apportionment of federal funds, whenever that is done the entire cost of such a road is charged against money due any county from the residual state highway fund in the future; in other words whenever the state funds increase over and above overhead, maintenance, and the matching of federal money, there comes into existence a residue or balance for the benefit of those counties which have not yet participated in any previous expenditure of federal or state funds.

The proposed law thus provides that a county shall not be at a disadvantage if it can not now receive any direct distribution of state highway funds, nor shall it be at a disadvantage in the long run because federal money and state money shall have been expended in other counties, nor shall a county be the gainer in the long run if it is deemed desirable immediately to construct sections of the state highway system within its borders.

Comprehensive Road System.
"It is recognized that any comprehensive system of state roads will require a period of years for completion, and it seems desirable in the light of past experience to allow some initiative on the part of the counties in the selection of sections of such established highway system as fall within the borders of the respective counties. For such work, however, it is good practice to have the counties back up their initiative with funds, and when the state aids a county in the construction of such section of highway from the residual fund it is provided that the county is to pay 50 per cent of the cost and the state the remaining 50 per cent from the state funds. The completion of the more important state roads is thus first provided without sacrificing the element of distribution of state money, but merely postponing same in view of the immediate needs of more important highways and the present inability of some counties to contribute half the cost of state highways.

"At this time it is extremely doubtful if any more equitable distribution of state and federal money can be proposed.

"It is held important for the state of Oregon that sufficient money be provided by or on behalf of the state to meet the federal funds as they are apportioned, but it is wisely provided that any present federal and state funds shall create a claim on behalf of the counties not participating against any future increase in the state highway fund, beyond the needs for overhead, maintenance and matching of federal money.

Source of State Fund.
"To provide a state highway fund, the code suggests that the state, in the present quarter mill tax to half a mill. To do this if it is necessary to amend the law creating a tax limitation of 5 per cent by exempting highway appropriations. This suggestion is considered a direct method of partially meeting any present financial embarrassment of the state. It is not the only solution. The state highway fund shall also receive automobile revenues and fines. The desirability of automobile revenues for the state highway fund is fully established by the experience of many states. It is true that the counties are thereby deprived of a certain amount of money available for local roads, but it is recognized that the counties are already spending many times as much money as is provided for the state highway fund. Furthermore, the state highways to be improved will be roads most used by automobiles, and the automobile license is based upon the principle of reimbursing the community for excessive wear or increased expense of highways due to their presence.

"If the state wished to create a fund by the issuance of bonds, it is desirable to point out here that such bonds should be of short term, probably not more than 15 years, and of the serial type. To postpone the burden of taxation of such bonds, a deferred serial bond could easily be adopted, which should be of payment for an interval, say, of five years during active road construction, and thus bring the period of increased taxation for redemption to coincide with the fullest use of the highways in which the money is invested. But under no circumstances should such borrowed money be used for maintenance, and preferably not for overhead.

"The proposed code provides adequate means for the state to be assured of the necessary rights of way before construction commences.

As to Maintenance.
"The question of maintenance has in the past proved a very troublesome one. Many states have incurred un-

necessary expenditures for extensive repair and reconstruction of state-built and state-aided roads through the neglect of maintenance. Originally it was thought that when a state had built a road at considerable expense to the state, a town or county would gladly maintain such road. Unfortunately

experience soon demonstrated that the locality would not maintain the road. Several states then suggested that the state allow the county a certain part of the cost of such maintenance and again the county or the town failed to maintain. When it was found that

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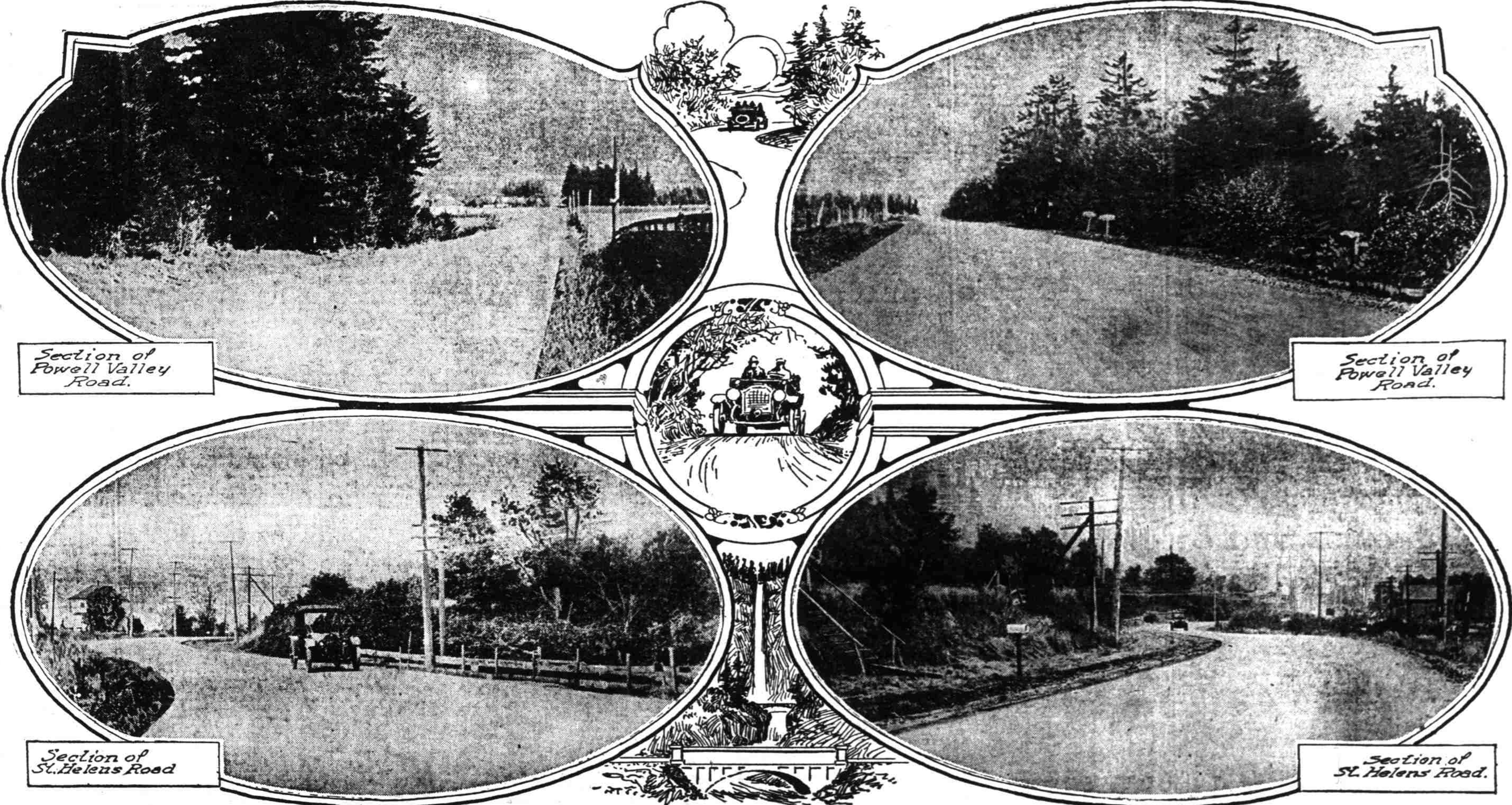
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