FLOOR STATEMENT OF
THE HONORABLE JAMES L. OBERSTAR
H.R. 3999, THE "NATIONAL HIGHWAY BRIDGE RECONSTRUCTION AND INSPECTION ACT OF 2008"
JULY 23, 2008

Madam Speaker, I rise in strong support of H.R. 3999, "The National Highway Bridge Reconstruction and Inspection Act of 2008".

On August 1, 2007, at 6:05 p.m., the I-35W Bridge, an eight-lane, steel truss span in Minneapolis, Minnesota, which carried 140,000 vehicles daily, collapsed into the Mississippi River, killing 13 people. The Bridge, which was constructed in 1967, had been rated as structurally deficient since 1990.

The tragic collapse of the I-35W Bridge demonstrates the need to make a commitment to invest in the maintenance and reconstruction of our nation's infrastructure. Many facilities are being stretched to the limit of their design life and beyond.

Of the 599,731 bridges in the National Bridge Inventory, 152, 397 bridges (25.4 percent) of America's bridges—more than one in four—are structurally deficient or functionally obsolete. There are 72,440 structurally deficient bridges and 79,957 functionally obsolete bridges. According to the Department of Transportation ("DOT"), more than $65 billion could be invested immediately in a cost-beneficial way to replace or otherwise address existing bridge deficiencies.

We must take action to put in place a framework to address this situation, and ensure that the safety and structural integrity of the nation's highway bridges do not continue to deteriorate.

Since the collapse of the I-35W Bridge, the Committee on Transportation and Infrastructure has conducted in-depth hearings into the Highway Bridge Program and the National Bridge Inspection Program.

During those hearings, we found a number of significant problems that must be addressed to ensure the overall safety of the nation's highway bridges.

Bridge inspection requirements and standards must be strengthened.

The inspection of bridges is a key to ensuring the overall safety of the traveling public. With over one-half of our bridges built before 1964, it is increasingly important that we have reliable information on the safety of these structures. It is imperative that we accurately identify structural flaws and recognize when the time comes to load–limit, repair or reconstruct a bridge. Drivers should not have to be fearful when crossing a bridge.

The current standard for bridges inspection is a routine, visual inspection conducted once every two years. As our Committee learned from the witnesses at the hearings, these visual inspections are subjective and can vary based on the professional judgment of individual inspectors.

H.R. 3999 creates a framework that enables States to target inspections on those bridges that need to be watched closely, and limited resources on those bridges most in need of repair. In doing so, the overall safety and reliability of State bridge inventories will be increase.

This bill requires States to inspect structurally deficient bridges and bridges with fracture critical members at least annually utilizing the most effective technologies and inspection methods. Many States currently meet this standard. This provision will ensure that all States do.

H.R. 3999 also requires that all persons involved in bridge inspections receive appropriate training. Currently, there is no Federal standard or training requirement for front-line bridge inspectors. This bill will ensure that inspectors who are inspecting bridges have the skills and knowledge to recognize deficiencies.

The bill also increases the qualification requirements to ensure that licensed professional engineers approve inspections of complex highway bridges, as well as follow-up measures on bridges with a critical finding of a structural or safety-related deficiency that requires immediate action.

The hearings also found significant problems with the Federal Highway Administration's ("FHWA") ability to oversee the greatly varied State bridge inspection programs.

To address this problem, H.R. 3999 requires FHWA to ensure uniformity in the standards, uniformity in bridge management systems, and uniformity in the data submitted to the National Bridge Inventory. This will ensure that the data collected during inspections and submitted to the National Bridge Inventory is accurate and consistent.

We recognize that we cannot approach this problem with a "one-size-fits-all" solution. Different States have different levels of need, and different bridges have varying requirements and weaknesses. The standards must account for these differences, but the current piecemeal, patchwork approach to bridge inspection and data collection is clearly not working.

From a national perspective, we must examine the frequency of bridge data collection, and assess the quality of this data. We must also require FHWA and the States to significantly improve and develop consistent, uniform processes and standards for the inspection of structurally deficient bridges and inspector training.

The Department of Transportation's Inspector General ("IG") told us that one in ten structurally deficient bridges on the National Highway System are incorrectly load-rated. The IG also found that more than 40 percent of state-level load ratings posted on National Highway System bridges do not match the information submitted to the National Bridge Inventory. These disturbing inconsistencies must be corrected quickly for the safety of the traveling public.

The National Highway Bridge Reconstruction and Inspection Act also creates a new level of accountability into our bridge repair and replacement by ensuring that States are investing in upgrading those bridges that are critical to safety, as well as freight and passenger mobility.

It requires the Secretary of Transportation to assign a risk-based priority to the rehabilitation and reconstruction of each structurally deficient or functionally obsolete bridge on the Federal-aid highway system. The National Academy of Sciences would then independently review the

process of prioritization of structurally deficient bridges for reconstruction to ensure that investment and resource decisions are based on need and not politics.

The bill also requires States to establish five year performance plans for inspection of bridges, and the replacement or rehabilitation of structurally deficient and functionally obsolete highway bridges in the state. The performance plans will provide a roadmap for addressing bridge needs, and will ensure greater accountability.

In addition, the bill addresses concerns that have been raised with the current ability of States to transfer bridge program funds. To be eligible to transfer funds from the Highway Bridge Program, a State must demonstrate to the satisfaction of the Secretary that it has no bridges on the National Highway System eligible for replacement.

To be eligible for replacement, a bridge must have a sufficiency rating below 50 on a scale of 0-100. The I-35W Bridge had a sufficiency rating of 50. This provision requires a State to address its bridges on National Highway System that are in worse condition than the I-35W Bridge before it transfers the funds made available to it to address its bridge reconstruction needs.

This "fix-it-first" approach will assure that bridge program funds are utilized as intended by Congress in SAFETEA–LU – to improve the safety of highway bridges.

Finally, Madam Speaker, H.R. 3999 authorizes an additional $1 billion for reconstruction of structurally deficient bridges on the National Highway System. These funds are in addition to funds provided for the Highway Bridge Program under SAFETEA–LU. No Congressional or Administration earmarks are allowed under the program.

While the NHS makes up only 4.1 percent of total U.S. mileage, it carries 45 percent of vehicle miles traveled, including 75 percent of heavy truck traffic and 90 percent of tourist traffic.

Of the 116,172 bridges on the NHS (including more than 55,000 Interstate System bridges), 6,175 NHS bridges are structurally deficient.

Addressing the needs of bridges on the NHS is critical to public safety, regional and national mobility, and economic competitiveness. It demands a national response.

The $1 billion authorized in this legislation is a down payment on the NHS bridge backlog, and will begin targeting investment on these critical bridges.

The terrible events of August 1, 2007, have served as a wake-up call for many policymakers and leaders around the country.

- We must ensure that our bridge inspectors are well trained and qualified;
- We must use innovative techniques and technologies to create reliable data to inform our decision-making;
- We must create a system that allows FHWA to be effective in their oversight of the State bridge programs;

- We must develop a structure that allows States to prioritize and manage their bridge inventories in the most efficient and effective means possible; and

- Given this framework and these tools to do the job, the States must be held accountable for meeting these objectives and performance goals.

That is what the legislation before us today would do.

The collapse of the I-35W bridge is a tragedy Americans will not soon forget. The traveling public is looking to their government for solutions to ensure that such a tragedy will not happen again. We must take the lessons of the I-35W bridge, and use them to create an accountable and reliable bridge program that guards the safety of all users.

I urge my colleagues to join me in supporting H.R. 3999.

###