

This legislation will improve the safety of workers whose duties place them on or near a federal-aid highway and will maintain the free flow of vehicular traffic. Workers who wear high visibility garments in such risky environments greatly reduce the chance of a vehicle collision and subsequent serious injury. Vehicle collisions are one of the most frequent causes of traffic congestion and place large demands on scarce police, fire, and emergency response personnel. Actions that reduce the likelihood of crashes also reduce congestion and these resource demands.

The major provisions of the legislation are funding provisions, program eligibility, data collection and analysis, and worker protection.

To increase State flexibility and reallocate funding, the bill eliminates the confusing 1991 reference that annually sets Section 130 at \$155 million and Section 152 at \$162 million. Some viewed the provision as a limit of funds available for important safety improvements, rather than as a minimum as intended. The bill eliminates the "Optional Safety" category and splits funding equally for the two programs. Also, the legislation changes the minimum Section 130 funding level for protective devices, such as grade crossing gates and signals, from a floating 50 percent to a fixed \$150 million per year. This provision increases options for the States, because \$150 million is less than the current 50 percent share.

I want to emphasize that the funding provisions in this bill maintain the flexibility States currently have to transfer up to 25 percent of the difference between the fiscal year 1997 funding level and the current funding level out of the Sections 130 and 152 programs to other projects States want to give higher priority. Transferred funds are available for Interstate Maintenance, Congestion Mitigation and Air Quality (CMAQ), National Highway System (NHS), Highway Bridge Replacement and Rehabilitation Program (Bridge), and Recreational Trails. For example, in fiscal year 2002, States collectively could transfer up to \$92 million. If my bill had been enacted, States would still have been able to transfer that same \$92 million as they see fit.

This legislation makes several improvements related to the eligibility of projects for funding under Sections 130 and 152. First, in the definition of a safety improvement project, I include, as another option for States, installation and maintenance of fluorescent yellow-green signs at pedestrian and bicycle crossings and school zones. The current "*Manual on Uniform Traffic Control Devices*" permits either yellow or fluorescent yellow-green pedestrian, school, and bicycle crossing signs. Federal, State, and local government studies indicate that fluorescent yellow-green signs, compared to yellow signs, increase motorists' awareness of highway crossings and allow motorists to recognize the crossing signs with greater accuracy at up to 40 percent greater distances. Any signs installed under this amendment would have to comply with the "*Manual on Uniform Traffic Control Devices*."

The bill further builds on the Section 130 program's success to date in increasing the number of at-grade railway-highway crossings with protective devices and signage by including maintenance of protective devices as an eligible use of funds.

To curb overly expansive interpretations of the current Section 152 program, the bill clarifies that this money is reserved for projects

that target real safety problems and produce real safety benefits. Under the bill, Section 152 projects must reduce the likelihood of the most frequent types of crashes and risk factors—road departures, intersections, pedestrians, bicycles, older drivers, or construction work zones.

Another new State optional use of Section 152 funds in the bill is police assistance for traffic and speed management in construction work zones. Experience around the country shows that the presence of even one marked police vehicle greatly increases motorists' compliance with construction work zone traffic patterns and speed limits, thereby increasing safety for both workers and motorists and improving mobility.

No program can run efficiently and effectively without accurate and timely data and analysis. This bill replaces the annual report referenced above that Congress terminated with a new biennial report about both the Section 130 and Section 152 programs, without creating, an unfunded mandate. With these amendments, States can use these funds to fulfill all data compilation, analysis, and reporting requirements. The Secretary of Transportation will summarize State projects and spending, analyze the effectiveness of the projects in achieving program goals, assess the adequacy of funding and spending relative to the need for safety improvement projects, and recommend funding and program improvements to continue reducing the number of high hazard locations.

Finally, the bill directs the Secretary of Transportation to issue a rule requiring workers who work on or near a federal-aid highway to wear high visibility garments. The Secretary may also require other worker safety-related items deemed appropriate.

Roadway construction zone crashes killed 1,079 people in 2001, up from less than 800 in 1995, according to the U.S. Department of Transportation. Factors contributing to the increase in fatalities include construction work being done in traffic and on compressed schedules requiring more night work. In just five years (from 1995 to 1999), work zone crashes injured about 39,000 people.

This rulemaking provision levels the playing field for contractors bidding on projects on or near federal-aid highways. Contractors will no longer have an incentive to skimp on the availability of workers' high-visibility garments so they can underbid other contractors.

The bill also recognizes that not only construction workers are at risk from vehicular traffic. Roadway and roadside maintenance workers, as well as some utility workers and others, frequently perform duties that put them at high risk of injury from passing motorists. High visibility garments, such as retroreflective vests, help motorists see these workers while drivers can still take precautions to avoid collisions.

Mr. Speaker, I urge my colleagues to move quickly to improve the safety of America's roadways.

IN HONOR OF THE LATE SERGEANT JAMES P. CONNOR, DELAWARE MEDAL OF HONOR, RECIPIENT

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 13, 2002

Mr. CASTLE. Mr. Speaker, I rise today to pay tribute to the late Sergeant James P. Connor, Delaware's 14th Medal of Honor winner and the only Medal of Honor recipient to be buried at the Delaware Veterans Memorial Cemetery in Summit, Delaware.

This medal was presented to Sergeant Connor, in honor of his distinguished service to this country during WWII. The Medal of Honor, since its inception after the Civil War, remains the country's highest military decoration.

Sergeant Connor was Delaware's only living Medal of Honor recipient, having received the medal for his dedication and leadership to his men on a campaign to protect an Allied landing during WWII. After being seriously wounded by a hanging mine, Sergeant Connor continued to lead his troops onto a French beach, in order to knock out the German positions. In the midst of additional assaults, Sergeant Connor's troops achieved their objective and captured 40 prisoners. Following his retirement from the military, Sergeant Connor continued to be very active in helping to ensure that other Delaware veterans would be remembered.

On November 13, 2002, the Delaware Commission of Veterans Affairs will hold a ceremony to dedicate the circular drive and unveiling of a historical marker at the Delaware Veterans Memorial Cemetery, in honor of Sergeant James P. Connor.

Mr. Speaker, allow me to recognize today, Sergeant James P. Connor, for his valor and commitment to his Country and as an outstanding United States citizen and Delaware resident.

At a time when our Country is facing the possibility of war, it is very fitting for us to remember Sergeant James P. Connor, a soldier who was tremendously dedicated to preserving our Country's freedoms. His commitment to the United States during World War 11 has earned him a permanent place in Delaware's and our Country's history, and I want to commend and thank his family for sharing his tale of heroism with us.

TRIBUTE TO SHERIFF RIECKE
CLAUSSEN

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 13, 2002

Mr. McINNIS. Mr. Speaker, it is my privilege to take this opportunity to honor Sheriff Riecke Claussen of Mesa County, Colorado on the occasion of his retirement from the Mesa County Sheriff's Office. Sheriff Claussen has given countless hours of service to the communities of Mesa County over the years and I am honored to pay tribute to him today before this body of Congress and this nation.

Riecke is a homegrown leader, growing up in the Grand Valley, graduating from Mesa