

**Testimony of Jerry Hietpas
Action Safety Supply Co
Before the House Transportation and Infrastructure Committee
Field Hearing on
Improving and Reforming our Nation's Surface Transportation Programs
Oklahoma City, Oklahoma
February 24, 2011**

My name is Jerry Hietpas, President of Action Safety Supply Co., a family-owned and operated business that has been a subcontractor and contractor working on roads, streets, bridges, airports and highways in the State of Oklahoma for over 35 years. I want to thank Chairman John Mica, Congressman James Lankford, and the other members of the House Transportation and Infrastructure Committee for allowing me to participate in this important hearing on improving and reforming our Nation's surface transportation programs.

As I make my presentation today I have the privilege of representing my interests, the interests of the 100 employees and their families of my company, the interests of the many companies and families in Oklahoma and all across this nation that work directly on the roadways funded by this vital legislation.

Of major main concern to our industry is the lack of stability of funding. It is extremely difficult for state transportation departments and companies to prepare for the construction season. You are aware that the current federal program is operating under a series of short-term extensions the latest of which is due to expire on March 4, 2011. The threat of a shutdown on the Federal Highway Administration due to expiration of the present law further destabilizes the necessary planning for an efficient and effective road maintenance and construction season. We desperately need your bill as soon as possible.

We urge you to enact a multi-year Surface Transportation reauthorization bill with dedicated and predictable levels of funding for the maintenance and construction of our highway system. Doing so will go a long way toward restoring confidence in our industry and provide the foundation for our country's future economy and job creation potential. As individuals and families as well as businessmen, we recognize the importance of working within our means and budgets and agree that the Federal government must do the same in order to remain fiscally responsible. My children and grandchildren are counting on me to leave them with the same strong and free America that I was given, an America that is not enslaved to others by the burden of uncontrolled debt.

When the Highway Trust Fund was established in 1956 it was used principally to finance the construction and maintenance of the Interstate Highway System. Our national Interstate system valued at more than \$1.75 trillion was built and rebuilt over the years with the money from this fund. According to AASHTO stated in their 2009 "Rough Roads Ahead" report, every one (1) dollar that is invested today in restoring our roadways saves as much as \$14 on rehabilitation and reconstruction. During fiscally challenging time such as these it would be easy to try to defer the maintenance of our investment to financially better times. It would be very poor stewardship indeed to attempt to do that at the risk of damaging our investment.

Our Interstate creates and sustains America's workforce. It carries \$25 billion dollars of goods everyday and nearly 24 million of our children to and from school. Our Secretary of Transportation Gary Ridley in his role as ODOT Director has gone on record regarding the importance of the National Highway System saying, "... preserving this asset is essential to our economic future." I completely agree with him.

There are those that would look at my testimony today as just another special interest trying to put their needs ahead of other Americans in these difficult times. Asking Congress to invest more in our nation's highways, roads and bridges as it deduces spending in other federal programs could in fact look just like that. There are certainly reports and testimony saying that we could and should reduce what we spend in all areas of government. In my opinion, it would be a costly mistake to forgo essential preservation work on our highway transportation system. I am hoping you share that opinion as well.

Highway Trust Fund Optimization

I support the priority Congress and the American people have identified in reducing the national debt and balancing the federal budget. We cannot spend more from the Highway Trust Fund than we receive if we are going to achieve this. Mr. Chairman, you have announced that you will draft a reauthorization bill based on current revenues into the Highway Trust Fund. I would ask you as you undertake this effort that you do all you can to eliminate non-transportation programs from funding under the Highway Trust Fund.

Over the years the federal role in surface transportation has expanded, and as a consequence there are many new programs that the Highway Trust Fund has funded. As the growth in revenues increased, Congress added more goals and programs for which the Highway Trust Fund may be used including many instances where these activities are not related to, nor do they contribute to the construction and maintenance of highways, roads, and bridges. When the Highway Trust Fund was first established it's role was not to become a vehicle for funding social programs. That is not the case today. Just referring to the Disadvantaged Business Enterprise portion of the present law alone, many dollars are dedicated to resolving social issues rather than building and maintaining our highway system. Our traffic control services business has been directly impacted by the expansion of this program as have businesses specializing in erosion control, fencing and guard rail.

The present law has encouraged innovation of both materials and processes in the construction of our roads and bridges. Our company has installed miles of durable pavement marking materials that have proven to last nearly 10 years on our Oklahoma roads providing delineation and guidance to all motorists. We have installed over 100 miles of cable barriers along our Interstate and National Highway System roads. The areas chosen for the installation of this product by ODOT had a high incidence rate of crossover type accidents that routinely result in serious injury and death. Those types of accidents have been virtually eliminated at a cost far below other types of construction.

The Highway Trust Fund, as presently funded by the users of the system, is spread so thinly it cannot perform its core function of constructing and maintaining highways and bridges well. Others in this group have or will give testimony quoting hard numbers on the diversion of Highway Trust Fund dollars.

I support their position that your Committee take a stand against the diversion of these funds for non-highway construction and maintenance purposes.

Eliminate Exemptions to the "Highway Trust Fund"

Every vehicle that uses our network of highways and bridges should pay their fair share for the construction and maintenance of the transportation system. The present vehicle user fee system has for the most part been an effective means to pay for our highway needs and I support the concept that each vehicle that uses our highways pays an equal user fee. I would encourage you to include in this reauthorization bill a comparable user fee for electric vehicles, natural gas vehicles, hydrogen vehicles, and all alternative fuel vehicles.

At some future date we will have to address a restructured user fee system that will allow us the opportunity to fund the expansion of our transportation system. These economic times and the looming deadline of March 4, 2011 will not allow your Committee to address this issue today. The safety of our citizens as they travel across this land will make this matter a priority soon enough.

Thank you for your time, your dedication and attention.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Truth in Testimony Disclosure

Pursuant to clause 2(g)(5) of House Rule XI, in the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include: (1) a curriculum vitae; and (2) a disclosure of the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness. Such statements, with appropriate redaction to protect the privacy of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

(1) Name: Gerald J. (Jerry) Hietpas

(2) Other than yourself, name of entity you are representing: Action Safety Supply Co.

(3) Are you testifying on behalf of an entity other than a Government (federal, state, local) entity? Yes

YES

If yes, please provide the information requested below and attach your curriculum vitae.

NO

(4) Please list the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by you or by the entity you are representing:

No Federal grants.

We operate as a specialty contractor for certain elements of highway construction. All of our contracts that are funded in some manner with Federal Highway funds are administrated by the Oklahoma Department of Transportation or the Seminole Indian Nation (one contract). We have not ever done a contract directly with and for the FHWA or the Bureau of Indian Affairs in our company's history.

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EDUCATION

High School Graduate, Kimberly H.S., Kimberly WI **1972**
General Education with emphasis in Mathematics, Accounting and Physics
ATSSA Certified Worksite Supervisor Course **1977**

TEACHING EXPERIENCE

US Department of Transportation, Transportation Safety Institute, Oklahoma City, OK
Traffic Safety Through Construction and Maintenance Zones (Associate Staff) **1978**
Taught selection of devices and workzone evaluation and modification segments of the course

WORK EXPERIENCE

Warning Lites, Inc. of Albuquerque
Field Service Manager **1972 – 1975**
Responsible for design, installation and maintenance of work zone devices working for my parents in Albuquerque, NM
Action Safety Supply Co., Div. of Royal Industries, Inc. Signal Division
General Manager **1975 – 1984**
Establish a new traffic services company in Oklahoma. Responsible for all aspects of starting and running a traffic services company.
Action Safety Supply Co.
President **1984 to present**
Incorporated in Oklahoma and acquired the above company. Expanded our road construction services to include sign fabrication and installation, installation of pavement markings, rumble strips and guard rail.

MEMBERSHIPS

Northview Community Church, serves on the Board of Directors and in various other capacities
Associated General Contractors, Highway Heavy Division, former Board of Director member, Board of Director of the Comp and Safety Group
Oklahoma Municipal Contractors
Oklahoma Traffic Engineers Association
Oklahoma Asphalt Pavers Association
Oklahoma/Arkansas Chapter of American Concrete Pavers Association