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## Don't inflict state with toll roads

## By DAVID A. BURKHALTER II, david@burkhalterrayson.com May 5, 2007

I read with great concern an article in the April 8 News Sentinel concerning the Tennessee Department of Transportation's proposed legislation to authorize the use of toll roads to finance highway construction.

I was appalled to read that TDOT had already spent \$453,000 of our tax dollars to finance a study concerning the use of toll roads - more wasted tax dollars in support of TDOT's quest to construct its Orange Route.

It's a dangerous and ill-conceived route that traverses four valleys, which according to a nationally recognized expert, will tend to trap vehicular pollution, creating a new corridor of increased cancer, asthma and other adverse risks. In particular, the 11,000 students who attend schools along the Orange Route will be placed in the zone of danger if TDOT gets its way.

TDOT commissioner Gerald Nicely is quoted as saying, "TDOT for now is proposing only the authority to impose tolls." Nicely is being less than truthful. The bills TDOT supports - HB1204 and SB1152 - are much broader than Nicely represents, and the bills, if passed and signed into law, would grant broad, sweeping powers to TDOT without any supervision and without any protection for the environment.

These powers include the authority to enter into "contracts, agreements or understandings with private parties for the purpose of developing or operating a tollway or toll facility and any part thereof, including but not limited to the following: Design-build contracts or design-build-operate contracts with private entities pursuant to which all or part of the design, right of way acquisition, relocation of utilities, construction, and operation of a tollway or toll facility is accomplished by a private entity or entities on behalf of this department (emphasis added) ."

The proposed legislation, which is being lobbied for by an ex-TDOT employee, even authorizes TDOT to allow the private entities to set the tolls. How absurd!

TDOT should not be granted such unbridled authority concerning toll roads, and private for-profit corporations should not be given such power over our highways, especially those corporations with ties to foreign countries.

The governmental powers of eminent domain should not be used to acquire lands that would then be used by private corporations to make money.

Foreign corporations have financed toll roads in other states that have experimented with this concept, and toll roads have ended up being very costly to taxpayers - the California experience with Highway 91 - while private companies reap riches and come out like bandits. Gov. Phil Bredesen and Commissioner Nicely, shame on you.

Finally, it was interesting that TDOT has finally admitted in the article that the Orange Route is the first link in a planned beltway surrounding Knoxville. Watch out, East and South Knoxville! You're next.

To News Sentinel readers: Please write the governor, your state senators and representatives and oppose this outrageous idea, and oppose TDOT's continued waste of tax dollars on efforts to force the Orange Route on Knoxvillians.

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