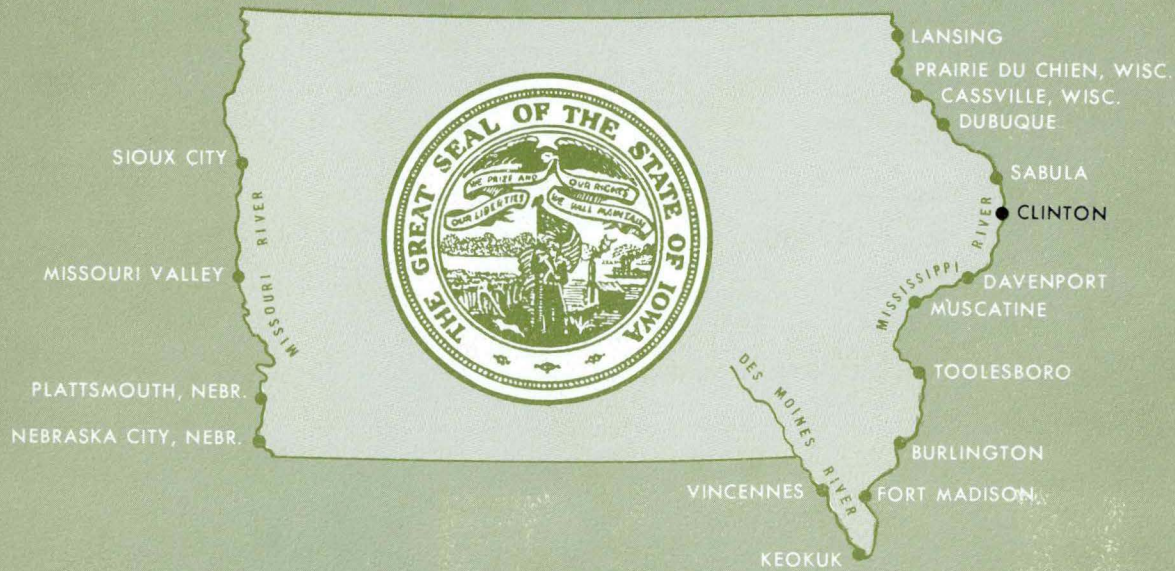


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OCTOBER 1968

IOWA STATE HIGHWAY COMMISSION



*Bridge Location,  
Revenue and Traffic Studies*

AT  
**CLINTON, IOWA**

TGB155  
H83c2

HOWARD, NEEDLES, TAMMEN & BERGENDOFF  
consulting engineers  
CITY, MO. NEW YORK, N.Y.

WILBUR SMITH & ASSOCIATES  
traffic consultants  
NEW HAVEN, CONN.

MISSISSIPPI RIVER TOLL BRIDGE

*Wilbur Smith & Associates, Inc.*

Cable: WILSMITH  
(203) 865-2191

TRANSPORTATION CONSULTANTS

155 WHITNEY AVENUE • P. O. BOX 993

*New Haven, Conn. 06510*

October 18, 1968

Mr. J. R. Coupal, Jr.  
Director of Highways  
Iowa State Highway Commission  
Ames, Iowa 50010

IOWA DEPARTMENT OF TRANSPORTATION  
LIBRARY  
800 LINCOLN WAY  
AMES, IOWA 50010

Dear Mr. Coupal:

We are pleased to submit this preliminary feasibility report for new Mississippi River bridges at Clinton.

The report includes an analyses of alternate bridge locations, preliminary engineering studies, traffic and toll revenue estimates, preliminary project costs and an indication of relative project feasibility.

The feasibility calculations indicate that the proposed Lyons-Fulton Bridge would have a considerably higher level of feasibility than the proposed U.S. Route 30 Bypass Bridge. However, the feasibility values for both facilities are below the levels normally considered indicative of financial feasibility.

We gratefully acknowledge the assistance and cooperation given to us by members of your staff and the numerous other public and private agencies and individuals contacted in the course of our studies.

Respectfully submitted,

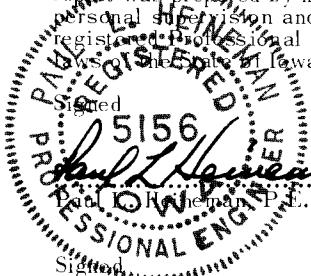
HOWARD, NEEDLES, TAMMEN & BERGENDOFF

*Paul L. Heineman*  
Paul L. Heineman

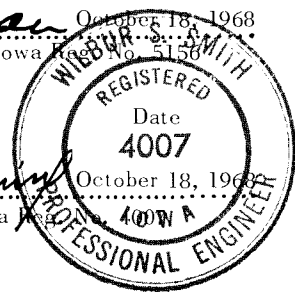
WILBUR SMITH & ASSOCIATES, INC. N.E.

*Wilbur S. Smith*  
Wilbur S. Smith

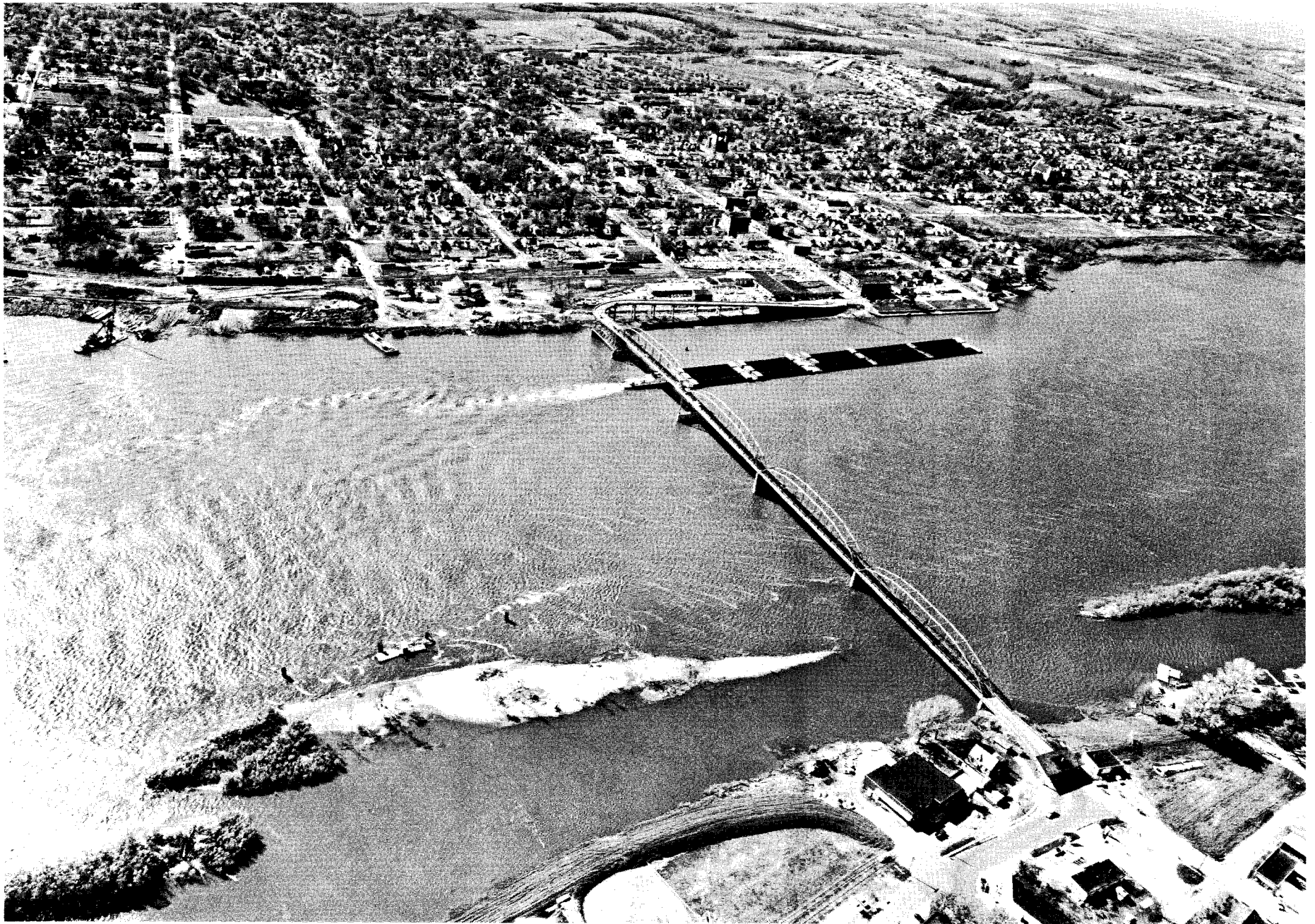
I hereby certify that this plan, specification or report was prepared by me or under my direct personal supervision and that I am a duly registered Professional Engineer under the laws of the State of Iowa.



Signed *Paul L. Heineman* Date October 18, 1968  
Paul L. Heineman, P.E., Iowa No. 5156



Signed *Wilbur S. Smith* Date October 18, 1968  
Wilbur S. Smith, P.E., Iowa No. 4007



**VIEW OF LYONS-FULTON BRIDGE FROM FULTON, ILLINOIS, LOOKING NORTHWEST**

**CLINTON, IOWA**

**MISSISSIPPI  
RIVER  
TOLL  
BRIDGE**

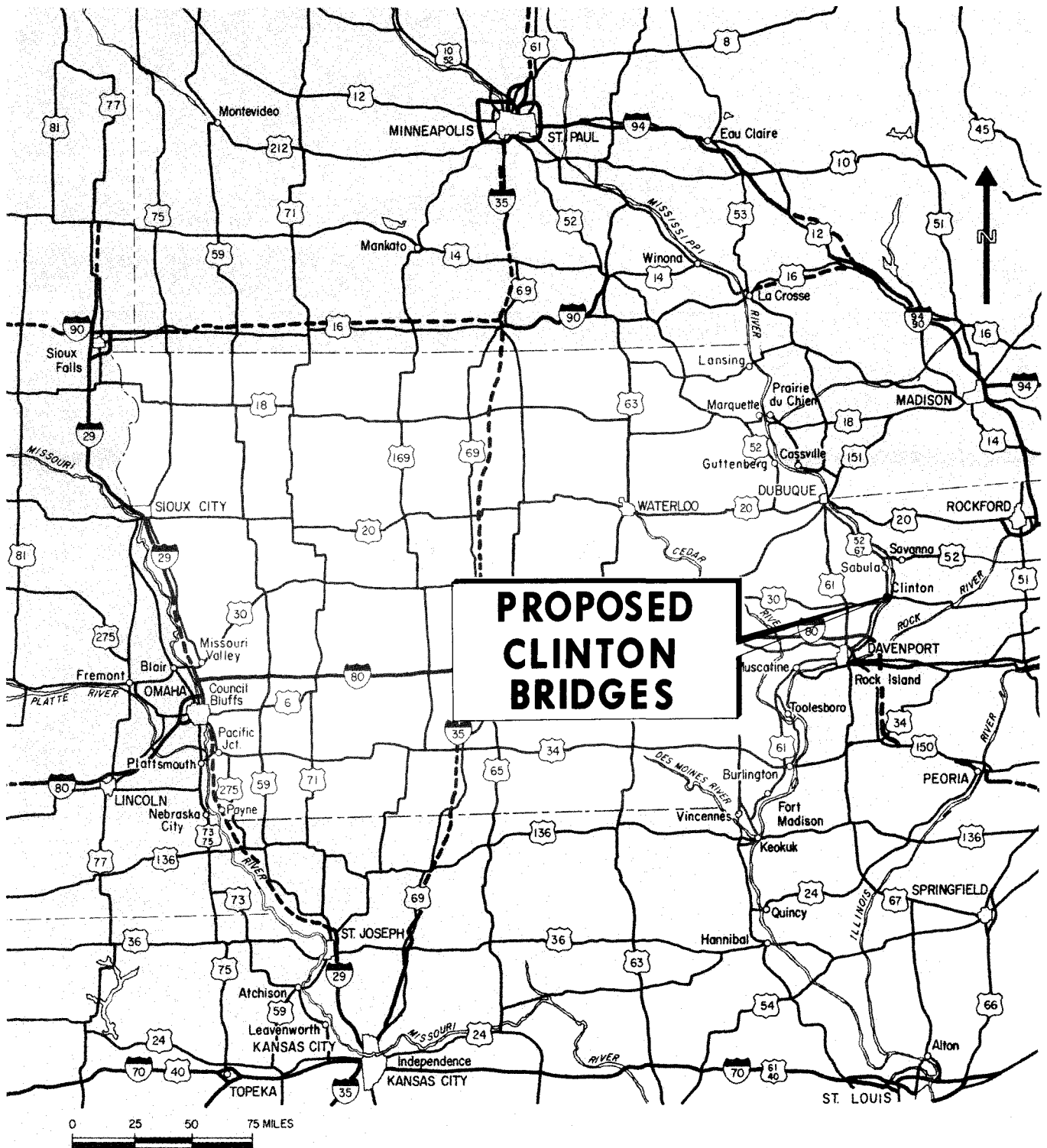
**OCTOBER  
1968**

**PRELIMINARY ENGINEERING REPORT**

- LOCATION STUDIES
- PRELIMINARY DESIGN
- COST ESTIMATES
- TRAFFIC AND REVENUE STUDIES

HOWARD, NEEDLES, TAMMEN & BERGENDOFF  
consulting engineers  
KANSAS CITY, MO. NEW YORK, N.Y.

WILBUR SMITH & ASSOCIATES  
traffic consultants  
NEW HAVEN, CONN.



*Wilbur Smith and Associates*

Exhibit 1  
**REGIONAL MAP**

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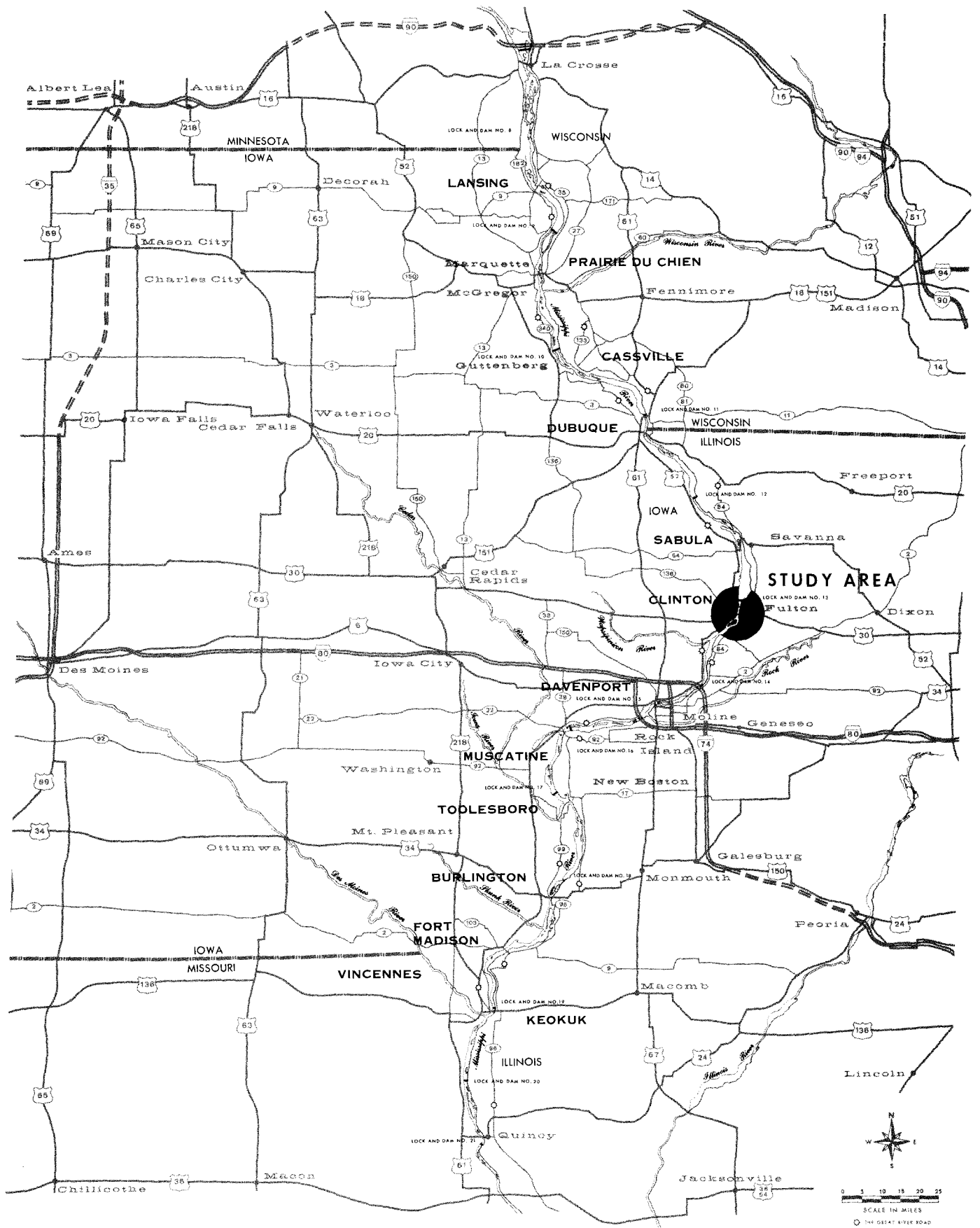


Exhibit 2  
VICINITY MAP

## **SUMMARY OF FINDINGS**

The present Lyons-Fulton Bridge in Clinton provides restricted traffic service due to vehicle weight limitations. Large commercial vehicles must use the second river crossing in Clinton, the Gateway Bridge. Several alternate locations for new toll crossings in Clinton were studied. The two bridge alignments which were found to warrant more detailed analysis were a new Lyons-Fulton Bridge and a U. S. Route 30 Bypass Bridge.

Preliminary project costs for the proposed Lyons-Fulton Bridge are estimated at \$6,705,000 requiring a bond issue of approximately \$8,046,000. The cost of the proposed U. S. Route 30 Bypass Bridge is estimated at \$8,685,000 necessitating a bond issue of about \$10,422,000.

First year net toll revenues (after deducting maintenance and operating expenses) of \$373,000 are estimated for the proposed Lyons-Fulton Bridge increasing to an average of \$521,000 annually over the assumed 28-year earning period of the bond issue. The U. S. Route 30 Bypass Bridge would generate estimated net revenues of \$153,000 during the first year of operation increasing to \$234,000 annually over the earning period.

Average annual net revenues from the proposed Lyons-Fulton Bridge would provide a 0.91 coverage of level debt service. The coverage for the U. S. Route 30 Bypass project would be 0.32. Both coverage levels are below those normally considered indicative of financial feasibility as revenue bond projects. The proposed Lyons-Fulton Bridge would require an estimated total subsidy of \$1,366,000 to meet level debt service over the bond term. The total subsidy necessary to finance the U. S. Route 30 Bypass Bridge would be much higher — \$14,099,000.

## **INTRODUCTION**

Clinton, Iowa, is an industrial community situated in one of the prime agricultural areas of the United States. As shown in Exhibit 1, Clinton is located on the Mississippi River about midway between the northern and southern boundaries of Iowa. Two toll crossings, the Gateway Bridge and the Lyons-Fulton Bridge, provide trans-river traffic service in the Clinton area.

North of the city, the closest river crossing is located at Sabula. To the south, the Interstate Route 80 Bridge and other crossings in the Quad-Cities area provide alternate trans-river service.

### **Authority and Purpose of Report**

In December, 1967, the Iowa State Highway Commission authorized preparation of a preliminary feasibility report for possible new toll crossings in the Clinton area. This report is one of several comparable bridge studies to be conducted as part of the Iowa Toll Bridge Program, in accordance with legislation enacted by the Iowa General Assembly, a copy of which is included in the Appendix. The various locations, along the Mississippi River, to be studied under this program are shown in Exhibit 2.

A copy of the federal legislation permitting the construction and operation of the present Clinton bridges is included in the Appendix. The Appendix also contains a copy of the General Bridge Act of 1946, the federal law permitting operation of privately owned toll bridges, which limits the period of time during which a new bridge could be operated as a toll facility to 30 years.

### **Scope of Services**

This report summarizes preliminary engineering, traffic and revenues and feasibility studies for proposed additional toll crossings of the Mississippi River in the Clinton area. These studies included:

1. Analysis of the physical limitations imposed by navigational requirements, terrain, existing levees, railroads, real property values and the present street and highway network.
2. Comparison of alternative bridge and approach road locations based on estimates of project cost and annual maintenance and operating expenses.
3. Analysis of the adequacy of present trans-river traffic service in the vicinity of the proposed bridges, measured against present travel demands and anticipated future growth.
4. Development of preliminary traffic estimates for the various alternative alignments and estimates of annual traffic and revenues for the recommended bridge locations, assuming operation as toll facilities.
5. Determination of the preliminary feasibility of the bridge projects, based on the relationship of anticipated project costs and estimated toll revenues.

The engineering, location and cost studies relating to the proposed bridges were prepared by Howard, Needles, Tammen & Bergendoff and are discussed in Part I of this report.

Part II, prepared by Wilbur Smith and Associates, discusses the preliminary traffic and revenue potential of the crossings and the project feasibility calculations.

## **Present Highway System**

The major east-west route through Clinton is U. S. Route 30, an important through highway connecting Chicago to Iowa and points west. Crossing the Mississippi River via the Gateway Bridge, U. S. Route 30 joins U. S. Route 67 and proceeds southwesterly through the city via Camanche Avenue. U. S. Route 30A begins in Illinois at a point west of Union Grove and follows an east-west

alignment through Fulton and across the Mississippi River via the Lyons-Fulton Bridge to a terminus at U. S. Route 67. Iowa Route 136 (Main Avenue) is an important east-west arterial in northern Clinton.

U. S. Route 67 generally parallels the Mississippi River on a north-south orientation through Clinton. Within the city, the route follows North Third Street and Second Street to a junction with U. S. Route 30 and thence south-westerly via Camanche Avenue. Illinois Route 84 is another important north-south highway. It parallels the Mississippi River through the eastern limits of the Fulton urban area.

### **Planned Highway Improvements**

The Primary Highway Improvement Program of the Iowa State Highway Commission for the period 1968-1972 has several improvements scheduled in or near Clinton. Reconstruction of U. S. Route 30 is planned from 14th Street in Clinton to Wheatland. Portions of U. S. Route 61, immediately north and south of U. S. Route 30 will be upgraded. U. S. Route 67 is programmed for reconstruction from the Scott County line to relocated U. S. Route 30 and improved from Clinton north to the Jackson County line.

Iowa Route 136, a principal east-west thoroughfare in the urban area, will be routed across the proposed Lyons-Fulton Bridge, along 19th Avenue North to a connection between 19th Avenue North and present Iowa Route 136. Camanche Avenue is being improved to four lanes eastward to 25th Street. The Clinton Comprehensive Plan prepared by Harland Bartholomew & Associates proposes that this street be extended from its intersection with 11th Avenue South northeastward to Eighth Avenue South, at the foot of the Gateway Bridge.

### **Present Clinton Bridges**

There are two bridges in the Clinton area, both of which are owned and operated by the Clinton Bridge Commission. The northerly bridge is the Lyons-Fulton crossing and the bridge to the south is the Gateway Bridge. The toll on

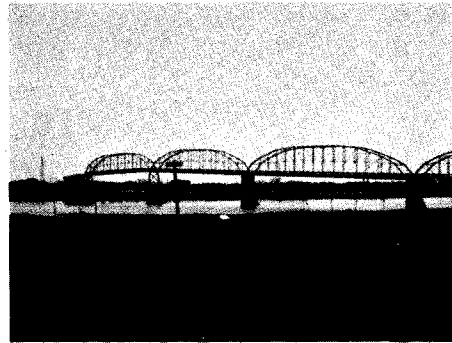
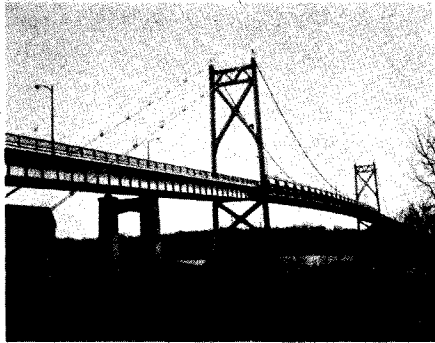
both facilities is the same. As shown in Table 1, passenger cars are charged \$0.20 with substantially higher tolls for larger vehicles. General views of the present bridges are depicted in Exhibit 3.

TABLE 1  
PRESENT TOLL SCHEDULE  
Lyons-Fulton and Gateway Bridges

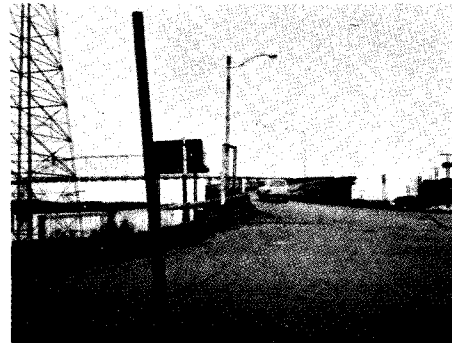
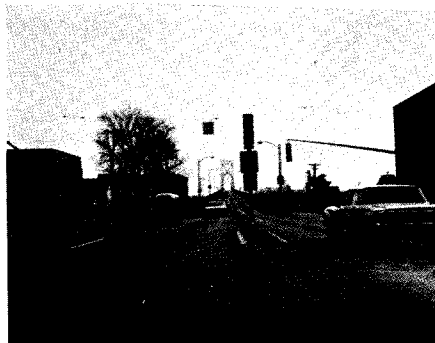
<u>TOLL CLASS</u>	<u>TOLL</u>
Passenger Car	\$0.20
Truck	
Two-axle, four-tire	0.20
Two-axle, six-tire	0.50
Three-axle	1.00
Four-axle	1.25
Five-axle	1.50
Six-axle	1.75
Each additional axle	0.25
Passenger Bus	1.00
Motorcycle	0.10
Car Trailers	
One-axle	0.10
Two-axle	0.20
House Trailer	0.50
Pedestrian or Bicycle	0.05

SOURCE: City of Clinton Bridge Commission.

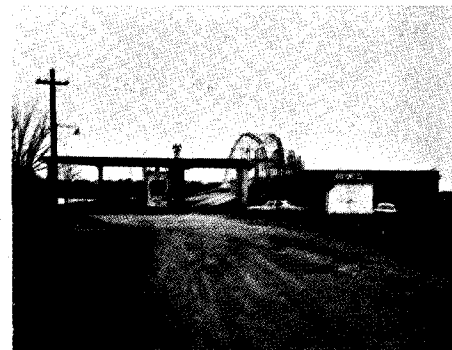
*Gateway Bridge* — In 1954, the Clinton Bridge Commission purchased the original Gateway Bridge which had been constructed in 1892 by the Clinton and Illinois Bridge Company. Immediately razed, the old structure was replaced by the present Gateway Bridge which is a modern, two-lane suspension bridge



BRIDGE ELEVATION



IOWA APPROACH



TOLL PLAZA

**GATEWAY BRIDGE**

**LYONS-FULTON BRIDGE**

with a 26-foot roadway and three-foot sidewalks on each side. The main span is a suspension span 644 feet long; the approach spans are steel girders on concrete piers. The total length of the structure and approaches is 9,600 feet. The horizontal alignment of the bridge is generally straight and the maximum grade is three per cent. All heavy commercial traffic crossing the Mississippi River in Clinton must use the bridge, due to weight restrictions on the Lyons-Fulton crossing.

*Lyons-Fulton Bridge* — The present Lyons-Fulton Bridge was constructed in 1891 and has a 17-foot roadway width. The original wooden floor was replaced with open steel grid in 1939. The main spans of the bridge consist of four through truss spans and one deck truss span. The original wooden approach ramps were replaced with concrete structures in 1938. The approach ramp on the Iowa side is at right angles to the bridge and requires two sharp turns. The toll plaza is on the Illinois side of the river where bridge users must make a right-angle turn on to or from First Street in Fulton. The bridge approaches have five per cent grades. The steep grades, sharp turns and narrow roadway make this bridge most difficult for trucks to negotiate; only pick-up trucks are permitted to use the crossing.

## **Alternate River Crossings**

The nearest Mississippi River bridge upstream from Clinton is a toll crossing located 20 miles to the north at Savanna, Illinois. The Savanna-Sabula Bridge, which was opened to traffic in 1933, provides a good level of traffic service for all vehicle types. As shown in Table 2, the toll schedule is based upon a fare of \$0.35 for passenger cars and higher tolls for larger vehicles.

The nearest highway bridge to the south of Clinton is 25 miles away near Davenport. This is the Interstate Route 80 Bridge completed in October, 1966. Several other bridges are located immediately south within the Quad-Cities area.



**TABLE 2**  
**PRESENT TOLL SCHEDULE**  
**Savanna-Sabula Bridge**

<u>TOLL CLASS</u>	<u>TOLL</u>
Passenger Cars	\$0.35
House, Car, Farm Trailers (one or two axles)	0.20
Truck or Bus	
Two-axle, four-tire	0.35
Two-axle, six-tire	0.70
Three-axle	0.85
Four-axle	1.00
Five-axle	1.25
Bicycles and Motorcycles	0.15
Farm Tractor	0.45
Pedestrians	0.10
Each additional axle	0.35

\_\_\_\_\_  
 SOURCE: The Savanna-Sabula Bridge Company.

### **Previous Studies**

All available pertinent data and reports relating to this project were assembled and reviewed. This material included information obtained from the Iowa and Illinois Highway Commissions, other state agencies, and numerous county, municipal and other contacts.

## PART I

### LOCATION AND COST STUDIES

#### BASIC DATA

Considerable information regarding existing conditions and proposed improvements must be procured and analyzed in conjunction with the preparation of bridge studies for a project of this magnitude. General features of the study area are shown on Exhibit I-1. The following are items of data pertinent to a Mississippi River crossing at Clinton.

#### Geology

The bridge sites under study in the Clinton, Iowa, area are in the Till Plains Section of the Central Lowland Physiographic Province. The entire area was covered by glaciation during the Pleistocene Epoch. Along the Mississippi River bluffs, loess overlies glacial drift and bedrock. The broad Mississippi River flood plain consists of alluvial silt, sand and gravel.

Niagara limestone of the Silurian System underlies the alluvial plains. The limestone is approximately 120 feet thick and is underlain by the Manquoketa shale of the Ordovician System. The rock dips toward the south at about 12 feet per mile. A boring near the mouth of Beaver Slough showed a soft dolomitic limestone at Elevation 540 ± or about 45 feet below surface elevation. Directly across the river from that boring, rock was not found in a boring which terminated at Elevation 480, indicating the extent of scour in the flood plain.

Substructure units for the proposed bridge should be founded on bearing piles driven through the alluvium and/or on caissons taken to bedrock or other suitable material. Prior to final design, foundation borings and laboratory soil tests will be required for evaluation of proper foundation type and any special treatment required for embankment-foundation stability and settlement at the approaches.

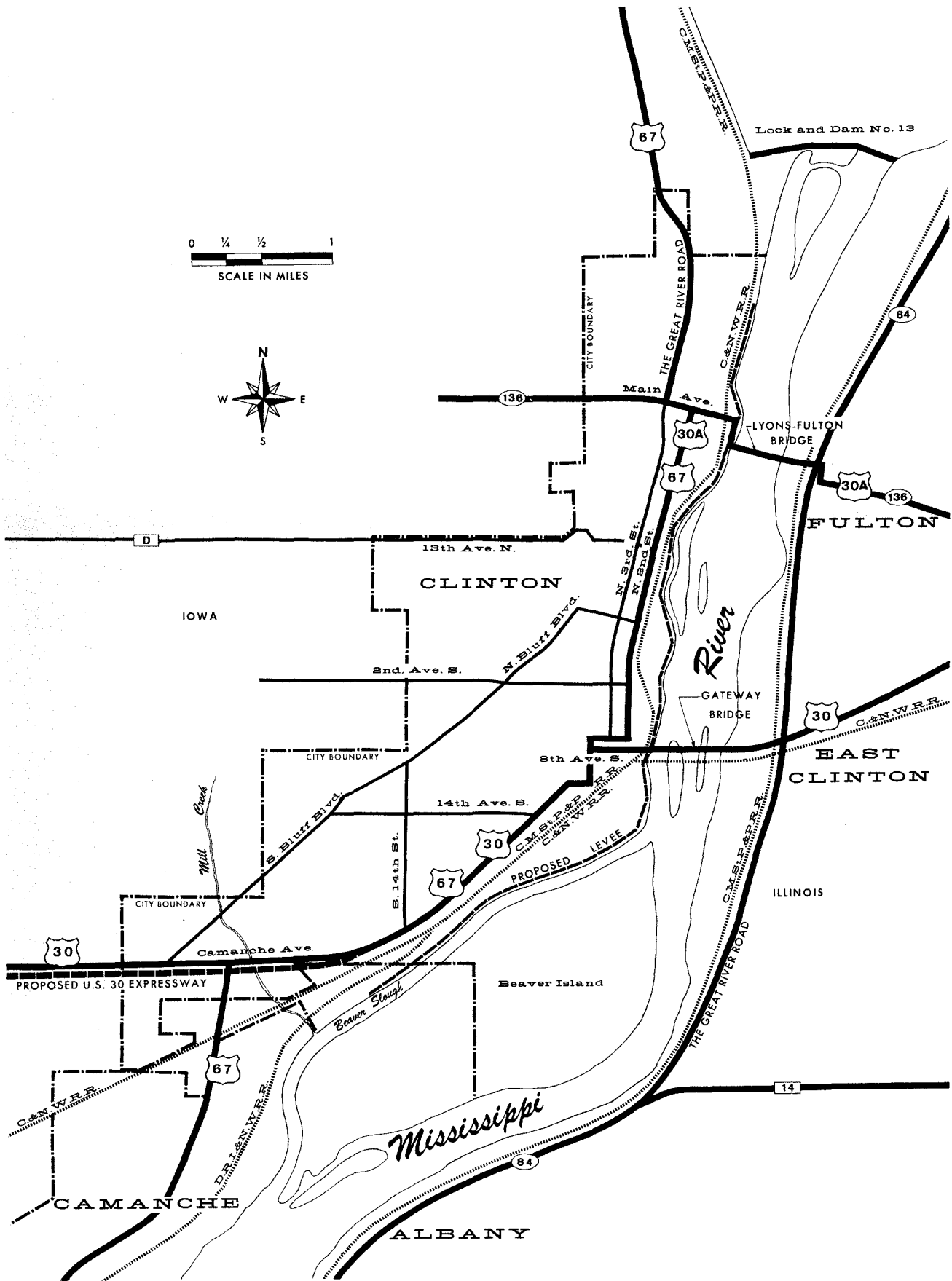


Exhibit I-1  
**CLINTON STUDY AREA**

## **River Conditions**

U.S. Lock and Dam No. 13 is located about 2 1/4 miles upstream from the existing Lyons–Fulton Bridge and about 4 1/2 miles upstream from the Gateway Bridge. The flat pool below the dam is at Elevation 572 Mean Sea Level.

The river overflows its banks at some locations on about a 3-year recurrence interval, usually causing only nominal damage, although the city suffered serious damage from the flood of 1951 and 1952. The record flood occurring in 1965 was some four feet higher than the floods of 1951 and 1952, and caused major damage in the city along the entire riverfront. The river reached Elevation 591 Mean Sea Level, or 19 feet above flat pool, curtailing business activity, railroad operations and highway traffic. The toll bridges over the Mississippi River were closed to traffic inasmuch as approach roads were flooded.

At the present time there are no levees protecting the city of Clinton. However, the U.S. Army Corps of Engineers has proposed a flood protection plan for Clinton consisting of earth levees built close to the river banks; these levees are shown on Exhibit I-1. The design flood for this plan is a 200-year flood. Similar protection for the east bank of the Mississippi River is also proposed.

## **Existing Railroads**

Both the Chicago and North Western Railroad and the Chicago, Milwaukee, St. Paul and Pacific Railroad mainline tracks are adjacent to the Iowa shore through the Clinton area. An abandoned Chicago and North Western Railroad spur track parallels the Illinois shore of the river.

The floods of 1951, 1952 and 1965 overflowed these railroad tracks. However, they would be protected by the proposed levee construction.

The east approach of the existing Lyons–Fulton Bridge includes an at-grade crossing of the railroad tracks on the Iowa shore. However, the planned approach to the new Lyons–Fulton Bridge provides adequate clearance over these tracks and eliminates the existing at-grade crossing with an abandoned railroad spur on the west approach.

### **Navigation Clearances**

Criteria for navigation clearances have been tentatively established by the Rock Island District of the U. S. Army Corps of Engineers.

Upon establishment of the Department of Transportation under the Act of 15 October 1966, PL 89-670, the Secretary of Transportation was given responsibility for certain functions, powers, and duties previously vested in the Secretary of the Army and other offices of the Department of the Army, including those with respect to drawbridge operating regulations (Section 5 of the Act of 18 August 1894 as amended), obstructive bridges (the Act of 21 June 1940 as amended), and location and clearances of bridges and causeways in navigable waters (Section 9 of the Act of 3 March 1879, the Act of 23 March 1906 as amended, and the General Bridge Act of 1946 as amended, except Section 503).

The criteria cited herein is in conformance with the requirements and past practices of the U. S. Army Corps of Engineers. The assumption has been made, for this exploratory report, that the criteria to be established by the U. S. Coast Guard, the agency delegated by the Secretary of Transportation to assume the responsibility for the functions listed above, will be similar to those of the Corps of Engineers.

Contact with the Coast Guard has confirmed the validity of this assumption for an exploratory study of alternative locations. It should be noted, however, that the particular river conditions existing at each site should be reviewed with the Coast Guard prior to the preparation of a definite project report to establish the navigation requirements.

The minimum permissible navigation channel on the Mississippi River is 400 feet. This clearance is permitted only when the alignment of

the river channel is straight. The opening must be greater where the alignment of the channel is curved under or upstream from the bridge. The channel is curved at the new Lyons–Fulton Bridge location, and a 450-foot clear main span is planned.

Final approval of clearances can be determined only after formal application has been filed and public hearings conducted.

The minimum vertical clearance for a bridge structure is 52 feet above the 2 per cent waterline elevation, or 60 feet above flat pool, whichever is higher. The 2 per cent waterline is that elevation of the river which will be exceeded only 2 per cent of the time. In the Clinton area, low steel elevation required by the 2 per cent waterline elevation specification is 635.4 Mean Sea Level, which exceeds Elevation 632.0 Mean Sea Level required by the flat pool specification.

Vertical clearance provided by the existing Lyons–Fulton and Gateway Bridges are 58 feet and 53 feet respectively. The planned new Lyons–Fulton Bridge provides 52 feet of vertical clearance.

## **ALTERNATE LOCATIONS**

### **General**

Two possible locations were analyzed and evaluated for a new highway bridge over the Mississippi River at Clinton. The first location is one-fourth mile downstream from the existing Lyons–Fulton Bridge. The second location would carry U.S. Route 30 on a bypass location south of Clinton across Beaver Island. Both of these alternate locations are shown on Exhibit I-2.

### **Lyons–Fulton Bridge Replacement – Alternate A**

Plans and specifications for a new Lyons–Fulton Bridge have been prepared by Modjeski and Masters, Consulting Engineers. Bonds to finance this undertaking were offered in June of 1967 by the City of Clinton Bridge Commission. These bonds were not sold. Subsequently, funds to construct the substructure were obtained and construction is in progress.

The alignment of the planned new bridge is generally straight as shown on Exhibit I-3 with a 4-degree curve on the Fulton approach embankment. Maximum gradient is 3.67 per cent. A two-lane roadway, 28 feet wide, with a three-foot sidewalk on each side, has been provided. The 28-foot roadway should be increased to 32 feet, to comply with newest AASHO and Bureau of Public Roads criteria. This revision to the superstructure design plans is of minor nature and will not materially affect the design of piers which are currently under construction, but would eliminate the planned sidewalks on the structure and provide, instead, a safety curb on both sides of the roadway.

The new bridge will connect 14th Avenue in Fulton, Illinois, with 19th Avenue North in Clinton, and will efficiently serve Iowa Route 136 traffic when the proposed approach extension is constructed from 19th Avenue northwestward to existing Iowa Route 136. Improvements to the Iowa approach, included in the current project, are limited to repaving the block of 19th Avenue North between Roosevelt Street and North 2nd

Street, which is also U.S. Route 67, the principal north–south traffic artery in Clinton.

The approach at the Clinton end of the new structure will begin at Roosevelt Street and 19th Avenue North and carry the roadway over the railroad tracks. The Clinton approach will consist of 533 feet of embankment and 1230 feet of steel beam and girder spans on concrete piers supported by piles.

The river spans will be of the through truss type, with a main span of 500 feet and two anchor arm side spans of 224 feet, for a total length of 948 feet. Concrete piers on piling will support the main spans. Riprap will be used to protect the foundations from scour.

The Fulton approach will consist of 659 feet of embankment and 825 feet of steel beam and girder spans on concrete piers supported by piles. The new bridge's toll plaza will be on the Fulton approach and will include three toll lanes; the eastern terminal is in Fulton at 4th Street and 14th Avenue.

### **Highway 30 Bypass – Alternate B**

Alternate B begins at a point on U.S. Route 30 and 67 approximately one mile east of the south junction of these two primary highways in South Clinton, bridges over the Chicago and North Western Railroad tracks, over the Davenport, Rock Island and North Western Railroad tracks, over the Beaver Slough and crosses Beaver Island on embankment. The Mississippi River navigation channel is crossed at right angles and a grade separation provided at the Chicago, Milwaukee, St. Paul and Pacific Railroad; the eastern terminal is with Illinois Route 84, approximately 3 miles south of its present junction with U.S. Route 30.

This alignment provides a convenient bypass route for that traffic that does not wish to traverse the downtown city streets on the Clinton approach to the Gateway Bridge. An important economic advantage is the







Exhibit I-2

**ALTERNATE BRIDGE LOCATIONS**

minimum right-of-way required for this alternate. The primary disadvantage is the greater total overall length.

### **Recommended Location**

The Lyons–Fulton Bridge Replacement is the choice between the alternatives studies. The project cost for a crossing at this location is utilized in the project feasibility studies developed in Part II of this report.

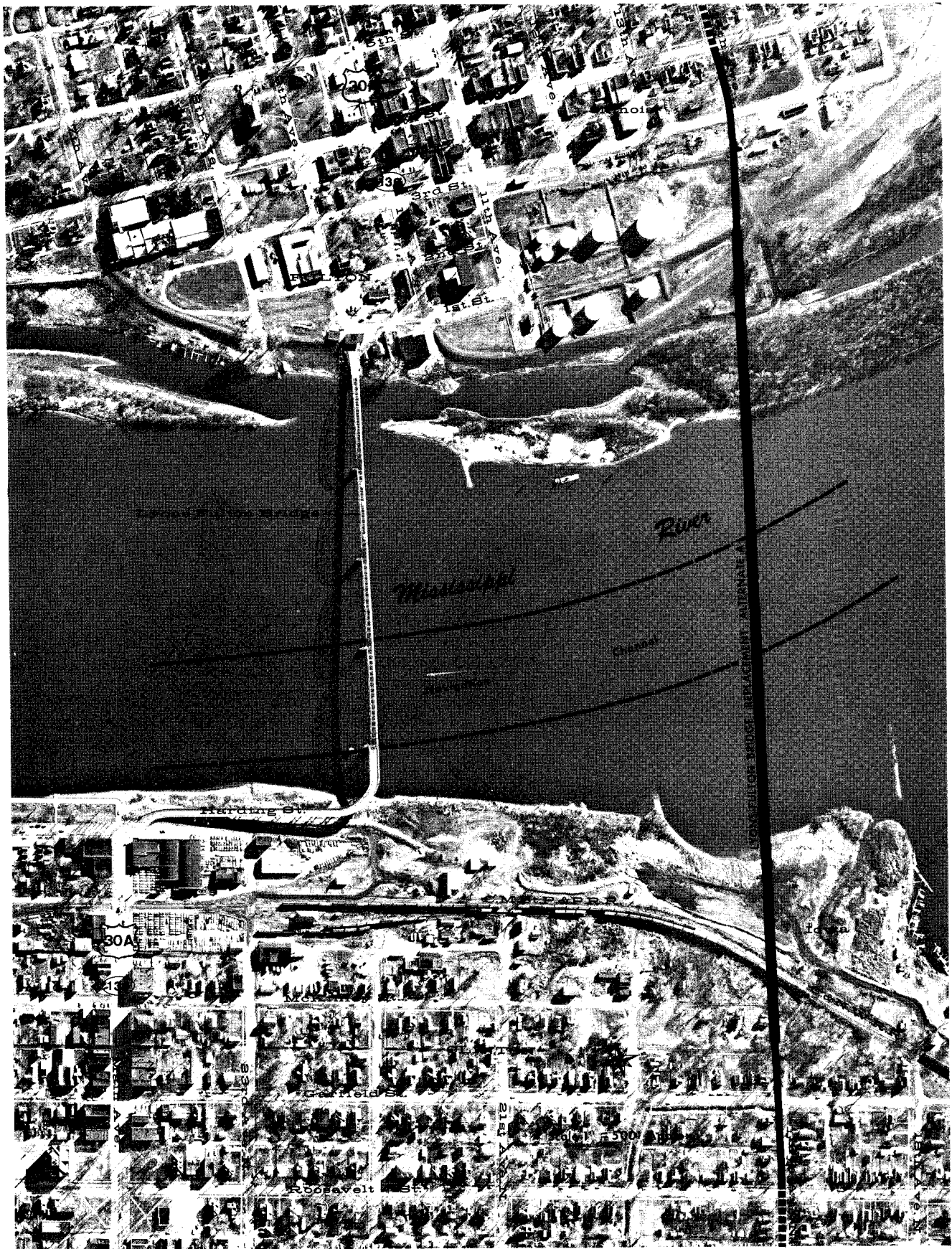


Exhibit I-3

**RECOMMENDED BRIDGE LOCATION**

## **COST ESTIMATES**

### **Lyons–Fulton Bridge Replacement – Alternate A**

A plan, elevation and typical section for the new Lyons–Fulton Bridge, as proposed by Modjeski and Masters, is shown on Exhibit I-4. A 32-foot roadway width provides 4'-6" of lateral clearance between the righthand edge of a typical 12-foot travel lane and the barrier rail. The cost estimate has been prepared from a review and updating of the estimate previously prepared by the aforementioned engineers.

The estimated construction cost of the bridge at this location is \$4,495,538. A detailed breakdown of the cost is shown in Table I-1.

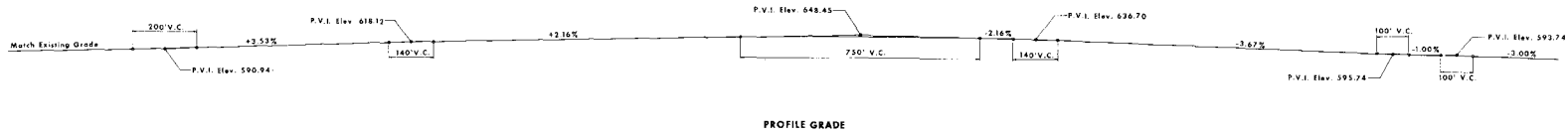
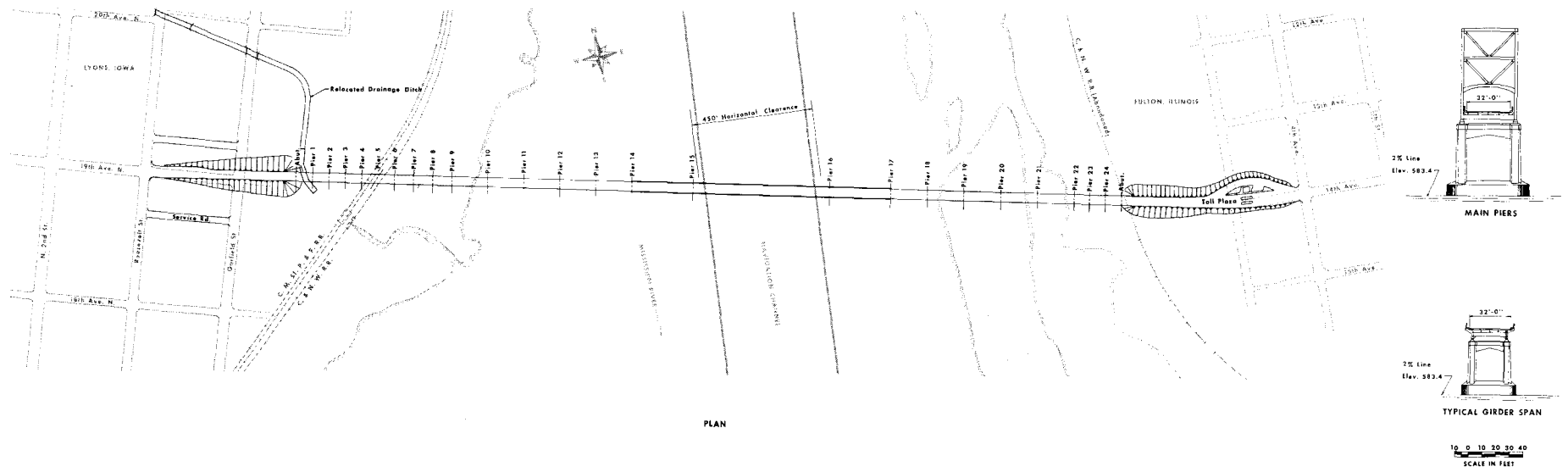
The total project cost does not include any allowance for acquisition of any franchise rights or property now vested in the private toll bridge company, but does include cost of removal of existing bridge upon completion of a new bridge.

### **U.S. Route 30 Bypass – Alternate B**

The preliminary roadway costs were determined by applying current unit prices to preliminary quantity estimates of the principal roadway construction items. Allowances have been included for modest escalations of unit costs during the one year that will elapse before construction could begin.

Right-of-way cost estimates were based upon fair market valuations of all real property involved. Allowances have been included for damages, severance losses and acquisition expenses.

A typical toll booth installation is shown on Exhibit I-5. The exact location of this facility on the bridge approach would be established during subsequent study phases.



NOTE: This Exhibit was prepared from a similar drawing by Modjeski & Masters Consulting Engineers Dated: 4-9-62, Revised: 12-13-66.

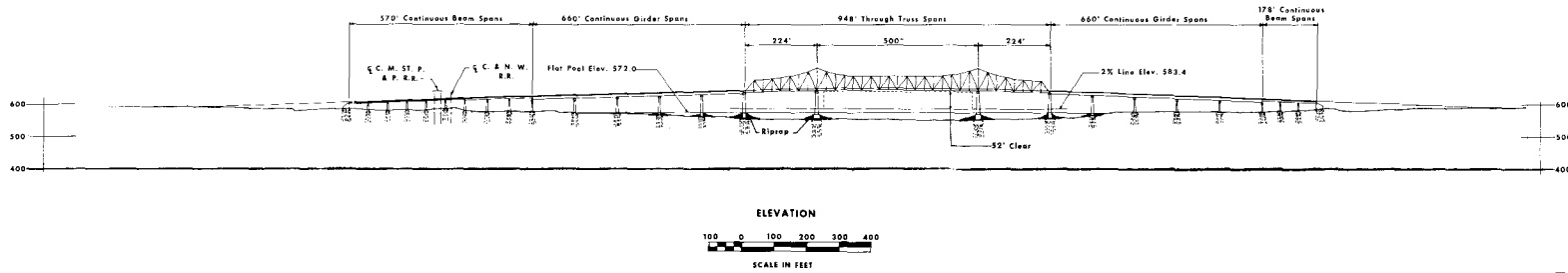


Exhibit I-4  
LYONS-FULTON BRIDGE REPLACEMENT  
GENERAL PLAN AND ELEVATION

TABLE I-1

ESTIMATE OF BRIDGE CONSTRUCTION COST

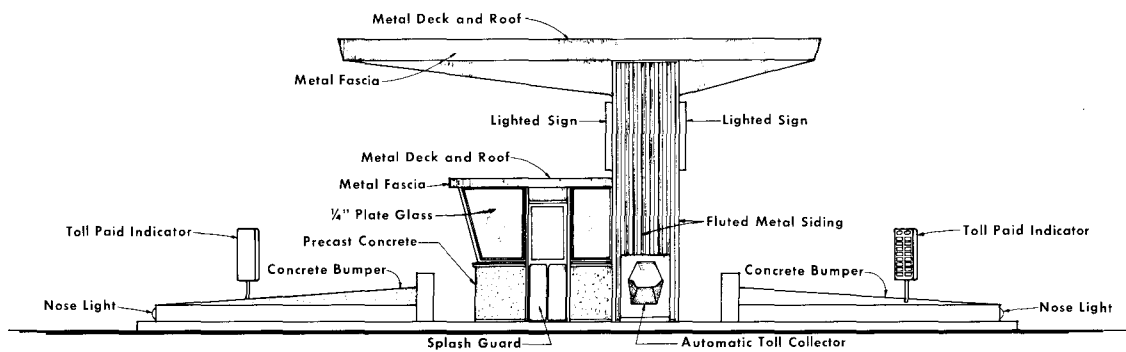
NEW LYONS-FULTON BRIDGE

Clinton, Iowa, Bridge

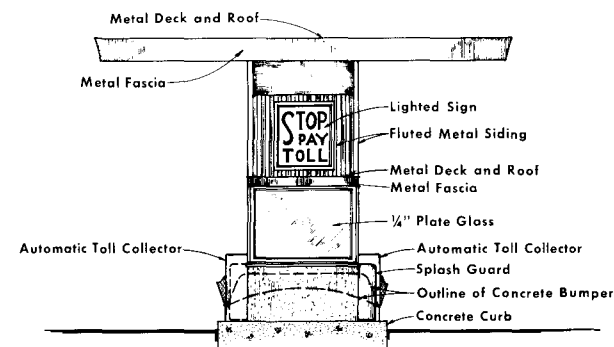
Continuous Beam Spans	570 ft.
Continuous Girder Spans	660 ft.
Through Cantilever Truss Spans	948 ft.
Continuous Girder Spans	660 ft.
Continuous Beam Spans	<u>178 ft.</u>
	3,016 ft.

Roadway Width - 32' -0" Curb-to-Curb

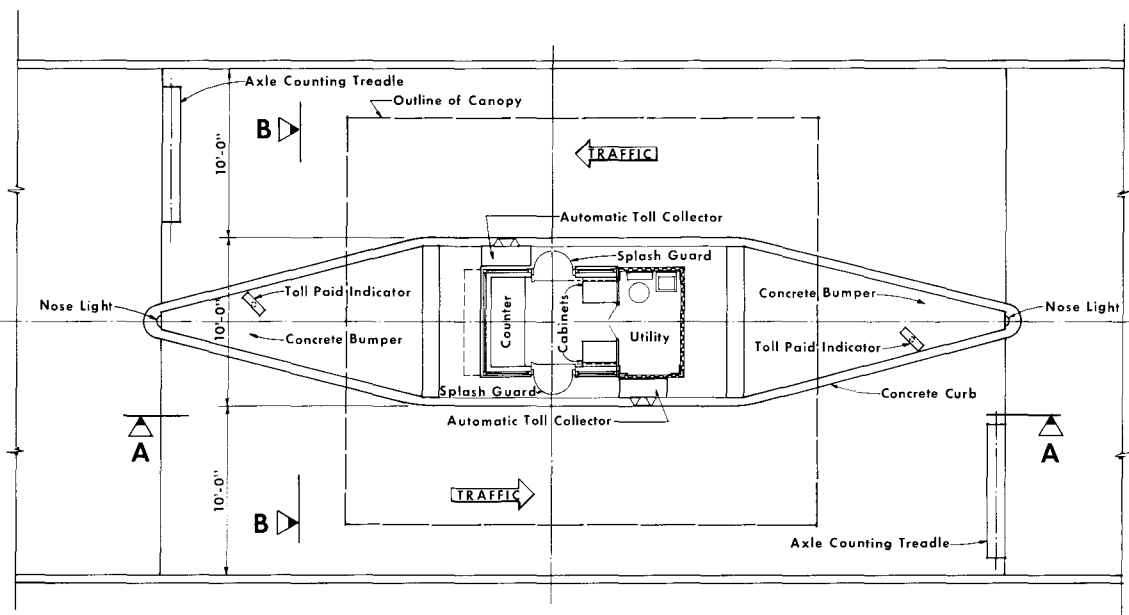
ITEM	QUANTITY	UNIT PRICE	COST
Superstructure:			
Bridge Railing	6,052 L.F.	\$12.00	\$ 72,600
Concrete	2,565 C.Y.	90.00	230,800
Reinforcing Steel	769,000 Lbs.	0.14	107,700
Through Cantilever			
Truss Steel A441	3,440,000 Lbs.	0.38	1,307,200
Girder Steel A441	2,150,000 Lbs.	0.32	688,000
Rolled Beam Steel			
A36	837,000 Lbs.	0.29	242,700
Cast Steel & Misc.			
Metal	108,000 Lbs.	0.70	75,600
Navigation Lighting		Lump Sum	20,000
			SUBTOTAL \$2,744,600
Substructure:			
From Bids received			
June 1, 1967			\$1,750,938
			<u>TOTAL BRIDGE COST</u> \$4,495,538



**ELEVATION A-A**



**ELEVATION B-B**



**PLAN**



**Exhibit I-5  
GENERAL PLAN AND ELEVATION  
TOLL BOOTH**



Prior to preparation of final design plans, additional engineering studies will be required. A complete subsurface investigation will be necessary to provide a firm basis for the determination of substructure type, substructure designs and economical span lengths. Main river unit studies will include economic comparisons of several types of construction.

A navigation span of 415 feet has been provided for a 400-foot navigation channel.

The estimated construction cost of the bridge at this location is \$3,353,000.

Details of the total estimated project costs for the U.S. Route 30 Bypass Alternate B are shown in Table I-2.

TABLE I-2

## SUMMARY OF ESTIMATED PROJECT COSTS

## Clinton, Iowa, Bridges

	NEW LYONS-FULTON		U.S. 30 BYPASS	
	IOWA	ILLINOIS	IOWA	ILLINOIS
Roadway	\$ 397,300	\$190,600	\$1,176,000	\$ 586,000
Structures	4,495,500	—	5,001,000	339,000
Removal of Existing Bridge	<u>117,000</u>	<u>—</u>	<u>—</u>	<u>—</u>
Subtotal	5,009,800	190,600	6,177,000	925,000
Toll Booth Complex	—	209,000	85,000	—
Engineering and Contingencies	<u>1,002,000</u>	<u>79,900</u>	<u>1,252,400</u>	<u>185,000</u>
Total Construction	\$6,011,800	\$479,500	\$7,514,400	\$1,110,000
Right-of-Way	132,500	32,500	10,000	37,700
Acquisitions and Contingencies	26,200	6,500	2,000	8,000
Administration and Legal	<u>13,000</u>	<u>3,000</u>	<u>1,000</u>	<u>1,900</u>
Total	\$6,183,500*	\$521,500	\$7,527,400*	\$1,157,600
		<u><u>                    </u></u>	<u><u>                    </u></u>	
Total Project Cost		\$6,705,000	\$8,685,000	

\* Iowa costs include all costs of the river structure up to and including the east abutment.

## **Operation and Maintenance**

The estimate of first year expenses for operation and maintenance for the Lyons–Fulton Replacement Alternate A location is shown in Table I-3. Inasmuch as operation of the bridge by the Iowa State Highway Commission will be somewhat different than that of a private operator, several cost assumptions have been made: (1) No per diem for commissioners or pro rata cost for central administration by the Iowa State Highway Commission, (2) the nominal administrative duties performed by the toll sergeant will require no separate administration facilities, (3) employee fringe benefits will be similar to existing private operation. Since the proposed bridge will be owned by a public agency, it has been assumed that it will not be subject to property or other local taxes.

TABLE I-3

ESTIMATE OF FIRST YEAR EXPENSES  
FOR  
OPERATION AND MAINTENANCE

Clinton, Iowa, (Lyons-Fulton) Bridge

ADMINISTRATION

Toll Sergeant	\$ 6,600	
Travel and Car Expenses	1,000	
Consulting Engineers	3,600	
Miscellaneous	<u>800</u>	
Total Administration		\$12,000

OPERATION

Toll Collectors	\$34,000	
Utilities	2,000	
Supplies and Postage	2,000	
Employee Benefits	<u>3,000</u>	
Total Operation		\$41,000

REPAIRS AND MAINTENANCE\* \$ 5,000

INSURANCE \$ 6,000

MAINTENANCE RESERVE \$ 6,000

Total Operation and Maintenance \$70,000

\* By District maintenance forces on force account cost basis.

**PART II**

**ESTIMATED PRELIMINARY TRAFFIC AND REVENUES  
AND PROJECT FEASIBILITY**

**INTRODUCTION**

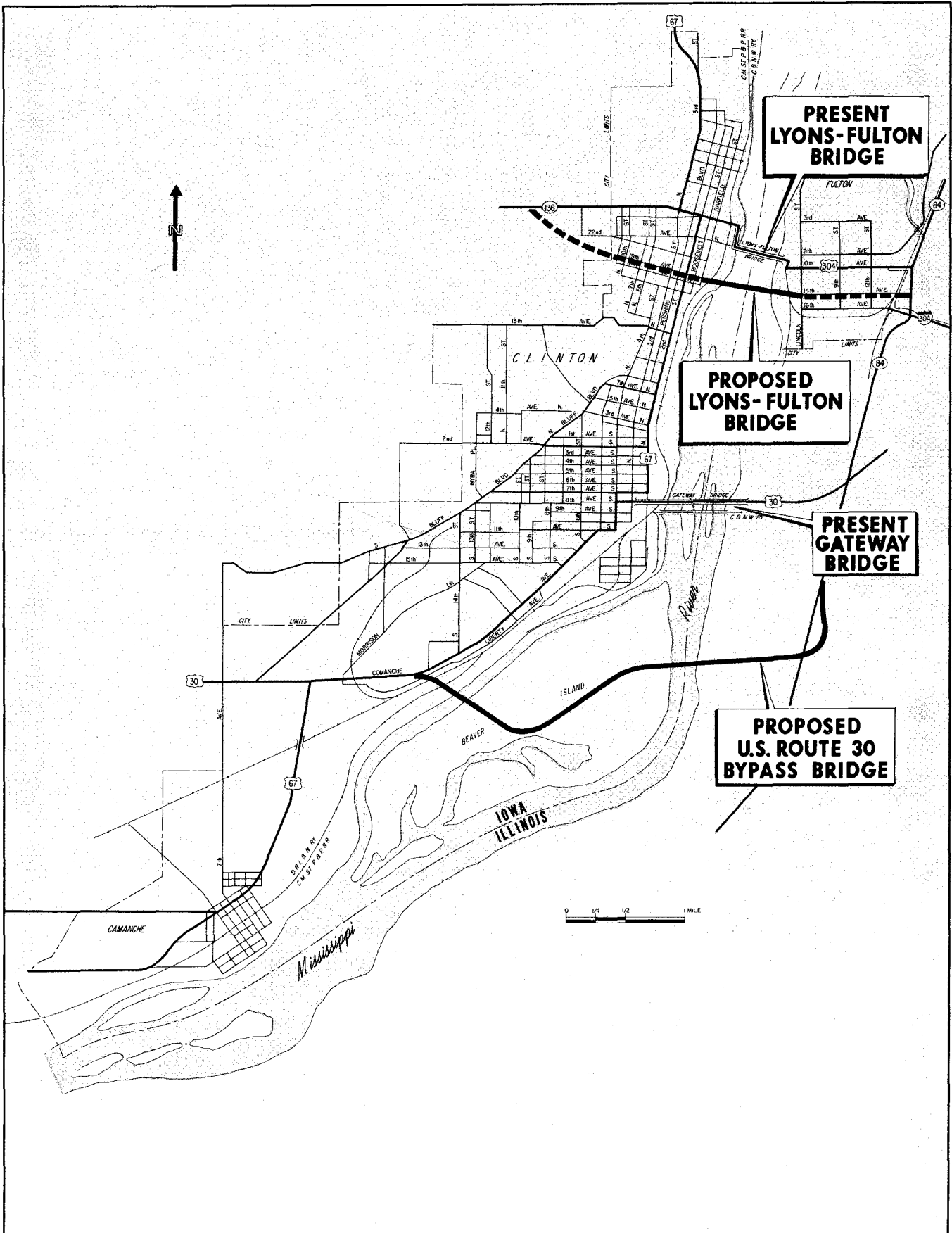
A general economic evaluation was made of the area served by the present Lyons-Fulton and Gateway Bridges, as a guide in projecting future traffic growth. Route reconnaissance investigations were conducted to inventory present traffic facilities and to determine average operating speeds and other traffic service characteristics. All available trans-river travel patterns and traffic trend data for the present bridges and closest alternative crossings were assembled and reviewed.

Using the travel pattern information, travel speed and route inventory data, and empirical diversion curves developed from studies of similar facilities, traffic assignments were made to several additional toll crossings in the Clinton area. Preliminary assignments were made at several toll rates to determine the rate structure which would optimize toll revenues while still providing a high level of trans-river traffic service.

Annual estimates of preliminary toll revenues were then developed for the recommended alignments, based on the traffic trend studies and forecasts of future growth in the area. Using the project costs and annual maintenance and operating expense estimates developed by Howard, Needles, Tammen & Bergendoff, a preliminary indication of the relative feasibility of the proposed crossings was determined.

**Proposed Clinton Bridges**

Several locations for new toll bridges in the Clinton area were given preliminary study. The bridge alignments which were selected for more detailed studies are depicted in Exhibit II-1.



**LOCATION MAP**

Plans for the replacement of the Lyons-Fulton Bridge have been prepared by Modjeski and Masters, Consulting Engineers, Harrisburg, Pennsylvania. The design calls for a two-lane bridge having a 28-foot roadway and three-foot sidewalks on each side. A three-lane toll plaza would be located at the Illinois terminus at the intersection of 4th Street and 14th Avenue. The western approach to the new structure would commence at the intersection of Roosevelt Street and 19th Avenue in Clinton. The bridge alignment is located just south of the existing Lyons-Fulton Bridge.

The second new crossing considered was a proposed U. S. Route 30 Bypass, located approximately 2.0 miles south of the Gateway Bridge. An interchange would be provided at the eastern terminus at Illinois Route 84 approximately 1.4 miles south of the intersection of U. S. Route 30 and Illinois Route 84. The western terminus of the proposed U. S. Route 30 Bypass Bridge would intersect U. S. Route 30-67 in Clinton between 27th Avenue South and Harrison Drive.

The proposed facility would be constructed to high-design standards with approach road grades, turning radii and lane widths designed to provide a high level of traffic service for all vehicle types. The crossing would provide for two travel lanes with a 32-foot roadway section and would operate as a toll project.

## **AREA GROWTH ANALYSES**

Several economic parameters were evaluated to determine relative levels of activity and recent growth trends in the area which would be directly served by the proposed bridges. These indices included population, retail sales and average effective buying income per family. In addition, trends in motor vehicle registrations and motor fuel consumption, both excellent indicators of travel growth, were analyzed. For study purposes, a two-county bridge study area was defined — Clinton County in Iowa and Whiteside County in Illinois.

Local field reconnaissance was conducted in Clinton and the surrounding area which would be most directly served by the proposed new bridges. Contact was made with various officials to obtain information regarding trends and characteristics of land use and economic activity. Available current data and forecasts for the bridge study area were assembled and reviewed.

### **Study Area Characteristics**

Clinton, with a 1960 population of 33,589, is the largest urban area along the Mississippi River between Dubuque and Davenport. While situated in a very productive agricultural area, its economic base is primarily industrial, providing employment for thousands of manufacturing employees from a wide area in both Iowa and Illinois. Principal manufacturing products are plastics, steel, freight cars, industrial engines and agricultural by-products. A new Chemplex plant was recently completed which represents a total investment of some \$60,000,000 and an initial employment of 150 persons. A new, major atomic power plant is under construction south of Clinton which will vastly increase the power output of the region.

Clinton has a growing retail and commercial center and provides educational, recreational and cultural opportunities for a wide area in Iowa and Illinois. Five motor freight lines, four railroads, bus service, river barge lines and one regional airline presently serve the city.



Fulton, across the Mississippi from Clinton, had a 1960 population of 3,387. It is primarily an agricultural community and residential area for persons employed in Clinton. It has a small but dynamic commercial area which provides many of the needs of the trade area which it serves in Illinois.

## **Population Trends**

In 1950, the population of Clinton was 30,379 persons. This increased to 33,589 in 1960, representing an average annual growth of 1.0 per cent over the ten-year period. As shown in Table II-1, the estimated 1966 population of Clinton was 34,000, an average increase of 0.2 per cent per year from 1960. During the decade 1950-1960, the Iowa communities of Dewitt and Camanche realized population growths averaging 2.0 and 6.3 per cent per year, respectively. Several Illinois communities also recorded population increases including Fulton (2.3 per cent), Morrison (1.7 per cent) and Rock Falls (2.2 per cent).

The population of the two-county study area increased from 99,000 in 1950 to 114,947 in 1960, an average annual increase of 1.5 per cent. Between 1960 and 1966, study area population increased at a rate of 1.0 per cent per year to an estimated 121,700. These growth rates compared favorably with those recorded statewide in Illinois, exceeded those realized in Iowa and were slightly below the national trend.

## **Trends in Retail Sales**

Good growths in retail sales have occurred in the two-county study area over the past decade. In 1956, the study area recorded total retail sales of \$139,709,000. By 1961, this had increased to \$152,055,000, representing an average annual increase of 1.7 per cent. During the next five years, retail sales increased an average of 6.1 per cent per year to total sales of \$205,005,000 in 1966. The annual growth recorded in the study area during this period compared favorably with that realized statewide in Iowa and Illinois and also for the nation. Retail sales in Clinton, in 1966, represented 70.7 per cent of total sales in Clinton County and 33.8 per cent of the two-county study area volume.

TABLE II-1  
POPULATION TRENDS

<u>AREA</u>	<u>1950</u>	<u>AVERAGE ANNUAL PER CENT CHANGE</u>	<u>1960</u>	<u>AVERAGE ANNUAL PER CENT CHANGE</u>	<u>1966</u>
<i>Municipalities:</i>					
Clinton	30,379	1.0	33,589	0.2	34,000
Camanche	1,212	6.3	2,225	— —	N.A.
Dewitt	2,644	2.0	3,224	— —	N.A.
Fulton	2,706	2.3	3,387	— —	N.A.
Morrison	3,531	1.7	4,159	— —	N.A.
Rock Falls	20,800	2.2	25,949	0.3	26,400
<i>Counties:</i>					
Clinton	49,664	1.0	55,060	0.7	57,800
Whiteside	49,336	2.0	59,887	1.1	63,900
Two-County Total	99,000	1.5	114,947	1.0	121,700
<i>States:</i>					
Illinois	8,712,176	1.5	10,081,158	1.2	10,775,300
Iowa	2,621,073	0.5	2,757,537	0.3	2,813,600
United States <sup>(1)</sup>	150,697,361	1.7	178,464,236	1.6	196,208,200

N.A. = Not Available.

<sup>(1)</sup> Does not include Alaska and Hawaii.

SOURCE: U. S. Department of Commerce, Bureau of the Census; *Sales Management, "Survey of Buying Power."*

## **Average Effective Buying Income Per Family Trends**

In 1956, the average effective buying income per family in the two-county study area was \$5,257. By 1966, this had increased to \$8,291, recording an average annual growth of 2.2 per cent between 1956 and 1961 and 7.1 per cent between 1961 and 1966. The excellent growth over the past five years was slightly below the statewide increase realized in Iowa but above the Illinois and national growth trends.

The 1966 average effective buying income per family in Clinton and the two-county study area was \$9,135 and \$8,291, respectively, compared with the statewide averages of \$9,998 in Illinois, \$8,416 in Iowa and the national average of \$8,522.

## **Trends in Motor Vehicle Registrations**

In 1956, 47,417 motor vehicles were registered in the study area. By 1966, this had increased to 62,702, representing an average annual growth of 2.2 per cent between 1956 and 1961 and 3.5 per cent per year between 1961 and 1966. The growth in motor vehicle registrations in the two-county study area during the past five years compared favorably with the annual growths of 3.5, 3.6 and 4.4 per cent recorded in Illinois, Iowa and the nation, respectively.

## **Motor Fuel Consumption Trends**

Reflecting the growths in personal income and motor vehicle registration in the last decade, personal travel, as measured by motor fuel consumption, has also increased substantially. Motor fuel consumption in Iowa increased an average of 2.0 per cent per year between 1956 and 1961, increasing to 2.5 per cent per year between 1961 and 1966. Illinois recorded annual increases of 2.4 per cent between 1956 and 1961 and 3.6 per cent between 1961 and 1966. The national growth rates exceeded those of both states during the decade.

## Future Growth

Population projections for the two-county study area indicate a continued population growth through 1980. As shown in Table II-2, it is anticipated that an average annual population growth of 1.4 per cent will occur between 1960 and 1980. During this period, the population of Clinton is expected to increase at a rate of 1.4 per cent per year to a 1980 level of 44,432. Dewitt is expected to record an average annual increase of 2.4 per cent and Camanche — 4.4 per cent between 1960 and 1980. The study area growth rate projected will equal the population growth forecast statewide for Illinois and exceed the annual increase anticipated in Iowa.

TABLE II-2  
POPULATION PROJECTIONS

<u>AREA</u>	<u>ACTUAL 1960</u>	<u>AVERAGE ANNUAL PER CENT GROWTH</u>	<u>ESTIMATED 1980</u>
<i>Municipalities:</i>			
Clinton	33,589	1.4	44,432
Camanche	2,225	4.4	5,304
Dewitt	3,224	2.4	5,143
<i>Counties:</i>			
Clinton	55,060	1.4	73,230
Whiteside	59,887	1.5	80,050
Two-County Total	114,947	1.4	153,280
<i>States:</i>			
Illinois	10,081,158	1.4	13,337,150 <sup>(1)</sup>
Iowa	2,757,537	0.8	3,192,000

<sup>(1)</sup> Average of Series I and II 1980 Projections prepared by the Illinois Department of Business and Economic Development.

SOURCE: Iowa State Highway Commission; Illinois Department of Business and Economic Development.

In 1965, the Clinton Industrial-Economic Survey of 43 Clinton industries indicated that approximately 1,715 employees reside outside of the city. The Clinton Corn Processing Company (1,500-2,000 employees), and the C. J. DuPont de Nemours & Company (1,000-1,500 employees), were the two largest employers. The A. C. Nielson Company and the Chicago & North Western Railway Company Car Shops employed between 500 and 1,000 people. As shown in Table II-3, of the 1,715 commuting industrial employees surveyed, 632 or 36.9 per cent resided in Illinois communities. The remaining 63.1 per cent lived in Iowa communities outside of Clinton, notably Camanche.

All of the Illinois commuters are, of course, potential to the Clinton bridges. As mentioned earlier, industrial expansion is continuing at a fast pace in Clinton. The rapidly growing industrial complex in the southwest area of Clinton is expected to generate many new jobs, some of which will be filled by Illinois residents. As employment grows, bridge traffic will also increase. Increased prosperity and leisure time will also act to create more trans-river travel in the Clinton area.

TABLE II-3  
 COMMUTING INDUSTRIAL EMPLOYEES<sup>(1)</sup>  
 Clinton, Iowa  
 1965

<u>AREA</u>	<u>COMMUNITY TOTAL</u>	<u>STATE TOTAL</u>	<u>PER CENT</u>
<i>Illinois:</i>			
Fulton	370		
Savanna	51		
Thomson	50		
Morrison	45		
Albany	34		
Other Communities	82		
Subtotal	-----	632	36.9
<i>Iowa:</i>			
Camanche	507		
Sabula	98		
Dewitt	84		
Preston	47		
Low Moor	38		
Charlotte	44		
Clinton, RFD	40		
Maquoketa	26		
Gooselake	22		
Bellevue	21		
Bryant	21		
Grand Mound	21		
Other Communities	114		
Subtotal	-----	1,083	63.1
<u>TOTAL</u>		----- 1,715	----- 100.0

<sup>(1)</sup> Industrial Firms only.

SOURCE: Clinton Industrial-Economic Survey.

## **TRAFFIC STUDIES**

Preliminary studies were made to evaluate the traffic potential of additional toll crossings in the Clinton area. These studies included route reconnaissance investigations to evaluate the quality of traffic service provided by alternative trans-river crossings as well as assembly and analysis of data relating to the magnitude and composition of traffic and present trans-river travel patterns.

### **Route Reconnaissance**

U. S. Route 30, from Wheatland to the city limits of Clinton has a 24-foot pavement surface with sufficiency ratings ranging from "excellent" near Wheatland to "critical", west of Clinton. U. S. Route 67, south of Clinton to the western city limits of Camanche has an 18-foot pavement as does a 5.72-mile section of the route from Clinton north. Beyond this point to Iowa Route 64, the highway has a 20-foot pavement. U. S. Route 67 has a "critical" rating south of Clinton and ratings ranging from "good" to "critical" to the north as far as Iowa Route 64. Iowa Route 136 is also a two-lane road west of Clinton with sufficiency ratings of "poor" to "critical".

Within Clinton, U. S. Route 30 has a pavement surface ranging from 24 feet at the west city limits to 60 feet at the Gateway Bridge. Sufficiency ratings vary from "tolerable" to "good". Iowa Route 136 in Clinton has a pavement section of from 24 to 36 feet rated from "critical" to "tolerable". U. S. Route 67 through the city has a pavement varying from 18 to 60 feet and ratings ranging from "critical" to "tolerable".

Posted speed limits in the bridge study area range downward from the daytime limit of 70 M.P.H. for automobiles on principal Iowa routes, to 15 M.P.H. in the downtown area of Clinton. Speed and delay surveys revealed generally good travel conditions with no difficulty in maintaining speeds close to the posted limits on streets and highways beyond the downtown area of Clinton.

## **Present Traffic Volumes**

The importance, in terms of traffic volumes, of the several highways approaching the Clinton urban area is depicted in Exhibit II-2. The impact of traffic generation in the vicinity of urban areas is shown by the much higher traffic volumes indicated.

The Clinton or U. S. Route 30 corridor carries substantially less traffic than the major east-west routes to the south passing through the Quad-Cities area. Conversely, U. S. Route 30 serves considerably more traffic than does U. S. Route 52 — Iowa Route 64 to the north in the Savanna-Sabula area. Iowa Route 136 carries significantly less traffic than U. S. Route 30.

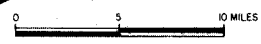
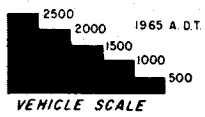
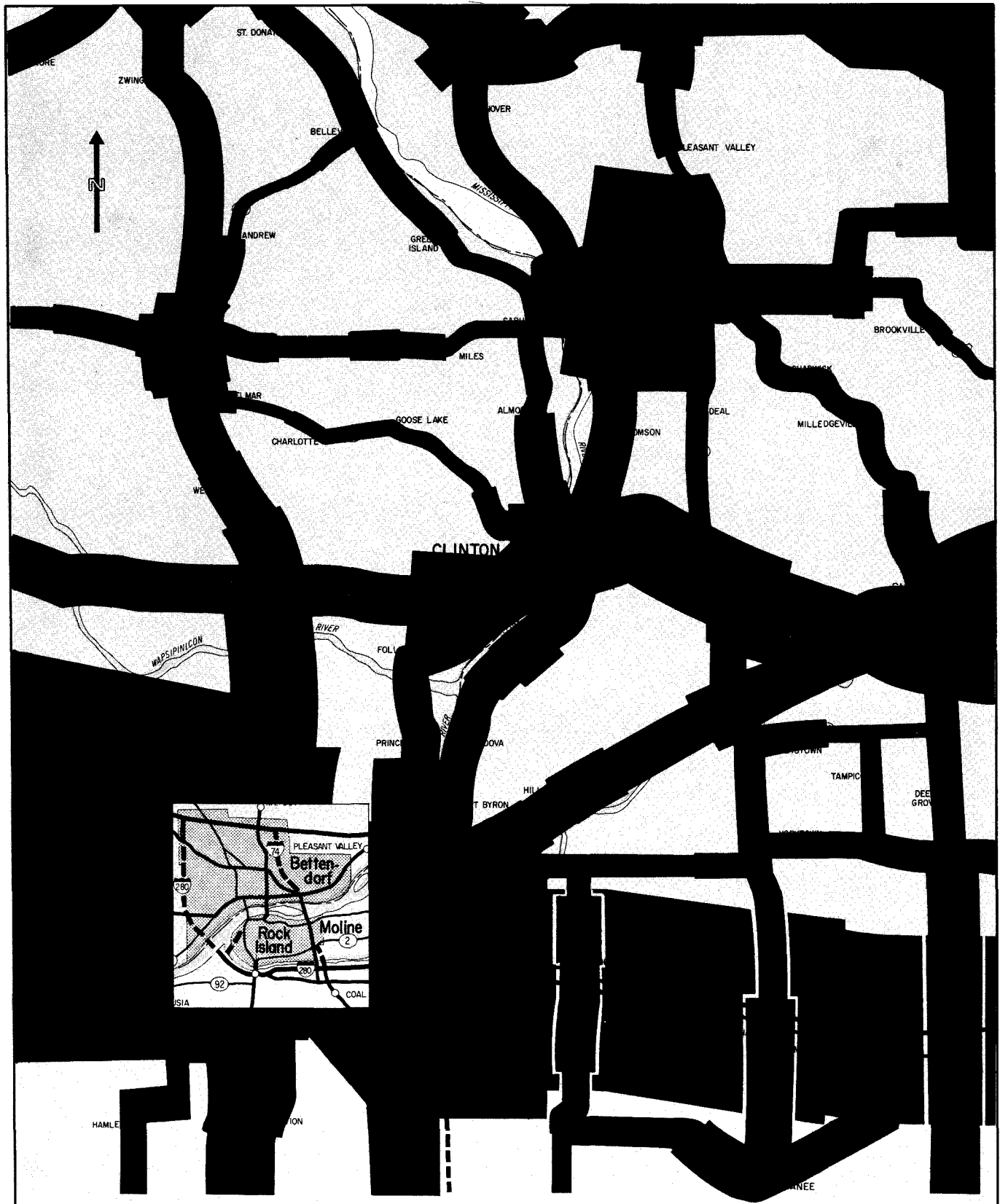
U. S. Route 61 is the primary north-south traffic facility in the study area. U. S. Route 67 and Illinois Route 84 also carry significant traffic volumes.

## **Annual Traffic Trends**

Annual traffic and revenue trends for the present Clinton crossings were assembled and reviewed. In addition, annual use of the closest alternative crossing to the north — the Savanna-Sabula Bridge was also reviewed and evaluated. To the south, the Interstate Route 80 Bridge was only opened in October, 1966, and long-term trends are not available. However, the impact of this crossing on trans-river traffic at Clinton was analyzed.

*Clinton Bridges* — In 1957-58, 6,998 vehicles per day used the Lyons-Fulton and Gateway Bridges, producing toll revenues of \$894,918. During the next ten years, as shown in Table II-4, traffic increased an average of 1.8 per cent annually to 8,381 daily vehicles in 1967-68. Revenues during this same period decreased 0.8 per cent per year to \$823,588. During the last five years, traffic on the two bridges increased an average of 0.4 per cent per year while revenues decreased 5.2 per cent annually. One important reason for the nominal traffic growth and revenue decrease realized over the past five years was the opening of the Interstate Route 80 crossing to the south of Clinton.





**TRAFFIC FLOW MAP**  
 1965 AVERAGE DAILY TRAFFIC

*Wilbur Smith and Associates*

**EXHIBIT II-2**

TABLE II-4  
**ANNUAL TRAFFIC AND REVENUE TRENDS**  
 Lyons-Fulton and Gateway Bridges

<u>FISCAL YEAR<sup>(1)</sup></u>	<u>AVERAGE DAILY TRAFFIC</u>	<u>ANNUAL REVENUES</u>
1957-58	6,998	\$ 894,918
1958-59	7,339	983,051
1959-60	7,599	1,003,415
1960-61	7,792	1,012,316
1961-62	7,822	1,028,371
1962-63	8,225	1,060,871
1963-64	8,190	994,164
1964-65 <sup>(2)</sup>	7,563	864,197
1965-66	7,945	881,079
1966-67 <sup>(3)</sup>	8,053	841,286
1967-68	8,381	823,588
 <b>AVERAGE ANNUAL PER CENT CHANGE</b>		
1957-58 to 1967-68	1.8	— 0.8
1962-63 to 1967-68	0.4	— 5.2

<sup>(1)</sup> Fiscal Year July 1 to June 30.

<sup>(2)</sup> Bridge closed April 24 to May 8, 1965 due to floods.

<sup>(3)</sup> Interstate Route 80 Bridge opened October 27, 1966.

SOURCE: City of Clinton Bridge Commission.

*Impact of Interstate Route 80 on the Clinton Bridges* — The Le Claire Bridge (Interstate Route 80) was opened to traffic on October 27, 1966, thereby closing the final link in Interstate Route 80 from Chicago across the State of Iowa. Traffic use of the Clinton bridges, by vehicle class, since fiscal 1965-66 is shown in Table II-5.

TABLE II-5  
 IMPACT OF THE INTERSTATE ROUTE 80 BRIDGE<sup>(1)</sup>  
 On Traffic on the Clinton Bridges

<u>VEHICLE TOLL CLASS</u>	<u>1965- 66<sup>(2)</sup></u>	<u>PER CENT CHANGE</u>	<u>1966- 67<sup>(2)</sup></u>	<u>PER CENT CHANGE</u>	<u>1967- 68<sup>(2)</sup></u>
<i>Lyons-Fulton Bridge</i>					
Passenger Cars and Passenger Cars Pulling Trailers	829,288	4.7	867,912	9.1	946,824
Trucks:					
Two-axle	64,976		70,220		76,206
Three-axle	21		12		5
Four or more axles	41		25		3
Total Trucks	65,038	8.0	70,257	8.5	76,214
Other <sup>(3)</sup>	10,589	33.6	14,144	7.3	15,172
Total Traffic	904,915	5.2	952,313	9.0	1,038,208
<i>Gateway Bridge</i>					
Passenger Cars and Passenger Cars Pulling Trailers	1,581,027	1.2	1,599,222	3.0	1,647,673
Trucks:					
Two-axle	162,674		175,346		195,415
Three-axle	30,697		25,707		23,809
Four or more axles	208,690		172,576		140,056
Total Trucks	402,061	- 7.1	373,629	- 3.8	359,330
Other <sup>(3)</sup>	11,755	20.5	14,163	- 1.7	13,918
Total Traffic	1,994,843	- 0.4	1,987,014	1.7	2,020,921

<sup>(1)</sup> The Interstate Route 80 Bridge opened October 27, 1966.

<sup>(2)</sup> Fiscal Year July 1 to June 30.

<sup>(3)</sup> Includes buses, motorcycles, government vehicles and free passes.

SOURCE: City of Clinton Bridge Commission.

Due to vehicle weight limitations in effect on the Lyons-Fulton Bridge, the Gateway Bridge carries all heavy commercial traffic in the U. S. Route 30 corridor. Since opening of the Interstate Route 80 crossing, significant decreases have occurred in the number of three and four-or-more axle trucks using the Gateway Bridge. For example, in fiscal 1965-66, the Gateway Bridge carried 208,690 four-or-more axle trucks; in fiscal 1967-68 only 140,056 of these vehicles used the bridge. Growths in the number of passenger cars and light trucks helped to offset the substantial loss in heavy commercial traffic. Total use of the Gateway Bridge decreased 0.4 per cent between 1965-66 and 1966-67 and increased by 1.7 per cent between 1966-67 and 1967-68.

Contrary to the trend on the Gateway Bridge, good traffic growths occurred on the Lyons-Fulton Bridge over the past three years. This was due largely to the fact that large commercial vehicles are prohibited from using the Lyons-Fulton crossing and these vehicles were the most sensitive in terms of diversion to the new Interstate Route 80 crossing. As shown in Table II-5, total use of the Lyons-Fulton Bridge increased 5.2 per cent between 1965-66 and 1966-67 and 9.0 per cent between 1966-67 and 1967-68. Two-axle and light commercial truck traffic increased significantly during this period — 8.0 and 8.5 per cent, respectively.

*Savanna-Sabula Bridge* — In 1959, the Savanna-Sabula Bridge served 862 vehicles per day. As shown in Table II-6, this increased to 897 vehicles daily in 1966, an average annual growth of 0.6 per cent. In 1967, the bridge was closed two months for repairs.

### **Monthly Traffic Variations**

Monthly traffic variations in the U. S. Route 30 corridor indicate that July and August are the peak traffic months. January represents the low traffic month of the year.

TABLE II-6  
 ANNUAL TRAFFIC TRENDS  
 Savanna-Sabula Bridge

<u>YEAR</u>	<u>AVERAGE DAILY TRAFFIC</u>	<u>PER CENT CHANGE</u>
1959	862	8.7
1960	937	- 3.1
1961	908	1.1
1962	918	- 1.8
1963	902	1.8
1964	918	1.1
1965	928	- 3.4
1966	897	- 24.0
1967	682 <sup>(1)</sup>	
 <i>AVERAGE ANNUAL PER CENT CHANGE</i>		
1959-66		0.6
1961-66		- 0.2

<sup>(1)</sup> Bridge closed for approach route repairs between May 5, 1967 and July 18, 1967.

SOURCE: The Savanna-Sabula Bridge Company.

## Origin and Destination Studies

In the summer of 1966, the Iowa State Highway Commission conducted a comprehensive origin-destination traffic survey of the Clinton metropolitan area. The travel pattern distribution of motorists traveling into, within and through the Clinton area are shown in Table II-7.

TABLE II-7  
CLINTON TRAVEL PATTERNS  
1966 Average Summer Weekday Traffic

	DAILY VEHICLE TRIPS	PER CENT OF RIVER CROSS- INGS	PER CENT OF NON- RIVER CROSS- INGS	PER CENT OF TOTAL TRIPS
<i>River Crossings:</i>				
External to or from C.B.D.	2,389	27.0		2.1
External to or from Internal	4,471	50.6		4.0
External to or from External	1,982	22.4		1.8
Subtotal	8,842	100.0		7.9
<i>Non-River Crossings:</i>				
External to or from C.B.D.	1,849		1.8	1.6
External to or from Internal	5,998		5.8	5.4
External to or from External	175		.2	.2
Internal to Internal	58,928		57.1	52.6
Internal to or from C.B.D.	31,171		30.2	27.8
C.B.D. to C.B.D.	5,013		4.9	4.5
Subtotal	103,134		100.0	92.1
TOTAL	111,976			100.0

SOURCE: Iowa State Highway Commission.

On an average summer weekday in 1966, 8,842 trans-river trips were made into or through the Clinton study area, representing 7.9 per cent of all traffic recorded in the study area. A further breakdown of the trans-river trips indicated that 27.0 per cent were destined to or from the central business district, 50.6 per cent to other internal zones and 22.4 per cent were through trips.

The trans-river travel patterns developed from the interview surveys were used as the basis for determining a redistribution of trans-river trips, assuming new toll crossings were constructed. In addition to the Clinton origin-destination traffic report, use was also made of an origin-destination survey conducted on the Savanna-Sabula Bridge in April, 1968.

## **Vehicle Classification Counts**

Hourly vehicle classification counts were conducted by the Iowa State Highway Commission during the course of the 1966 interview surveys. In addition, the Clinton Bridge Commission maintains excellent records of vehicles, by type, using the present Gateway and Lyons-Fulton Bridges.

*Gateway Bridge* — Vehicle classification counts on the Gateway Bridge, as reported by the Clinton Bridge Commission are shown in Table II-8. Of the 5,537 vehicles that used the Gateway crossing on an average day in fiscal 1967-68, 4,483 were passenger cars, 536 were two-axle trucks and 65 were three-axle trucks. An additional 99 four-axle, 284 — five-axle and one six-axle truck used the facility on an average day.

*Lyons-Fulton Bridge* — During the 1967-68 fiscal year, 2,844 vehicles used the Lyons-Fulton Bridge on an average day. As shown in Table II-9, 2,588 vehicles were passenger cars. Weight restrictions on the bridge limited commercial traffic to light trucks only, with 209 such vehicles recorded on an average day.

TABLE II-8  
 VEHICLE CLASSIFICATION COUNTS  
 Gateway Bridge  
 1967-1968<sup>(1)</sup>

<u>VEHICLE TOLL CLASS</u>	<u>AVERAGE DAILY TRAFFIC</u>
<i>Passenger Car and</i>	
Passengers	4,483
One-axle car Trailer	20
Two-axle car Trailer	7
Two-axle house Trailer	4
<i>Trucks</i>	
Two-axle, four-tire	379
Two-axle, six-tire	157
Three-axle	65
Four-axle	99
Five-axle	284
Six-axle	1
<i>Buses</i>	14
<i>Motorcycles</i>	11
<i>Government Vehicles</i>	7
<i>Passes</i>	6
Total	<u>5,537</u>

<sup>(1)</sup> Fiscal Year July 1 to June 30.

SOURCE: City of Clinton Bridge Commission.



TABLE II-9  
 VEHICLE CLASSIFICATION COUNTS  
 Lyons-Fulton Bridge  
 1967-1968<sup>(1)</sup>

<u>VEHICLE TOLL CLASS</u>	<u>AVERAGE DAILY TRAFFIC</u>
<i>Passenger Car and</i>	
Passengers	2,588
One-axle car Trailer	6
Two-axle car Trailer	N <sup>(2)</sup>
Two-axle house Trailer	N
<i>Trucks</i>	
Two-axle, four-tire	209
Two-axle, six-tire	N
Three-axle	N
Four-axle	N
Five-axle	N
Six-axle	N
<i>Buses</i>	N
<i>Motorcycles</i>	10
<i>Government Vehicles</i>	9
<i>Passes</i>	22
<b>TOTAL</b>	<b>2,844</b>

<sup>(1)</sup> Fiscal Year July 1 to June 30.

<sup>(2)</sup> N = Negligible.

SOURCE: City of Clinton Bridge Commission.

## **Travel Desires**

The origin and destination data collected during the 1966 traffic study were coded to the geographic traffic zone patterns partially shown in Exhibit II-3. The illustration depicts only those travel desires which would be wholly or partially potential to the present or proposed bridges in the Clinton area. The width of the flow bands shown in the illustration are proportional to the number of trips moving between each zone pair on an average day in 1966.

The importance of the City of Clinton as a traffic generator and more particularly, the central business district (located near the western end of the Gateway Bridge) is clearly depicted. Downtown Clinton (Zone 58) interchanged 266 daily trips with Savanna, 128 with Thomson, 423 with Morrison, 194 with Albany and 77 with the Sterling-Rock Falls area. The heaviest trans-river movement was between downtown Clinton and the zones immediately east of the river in Fulton and East Clinton, 546 trips daily.

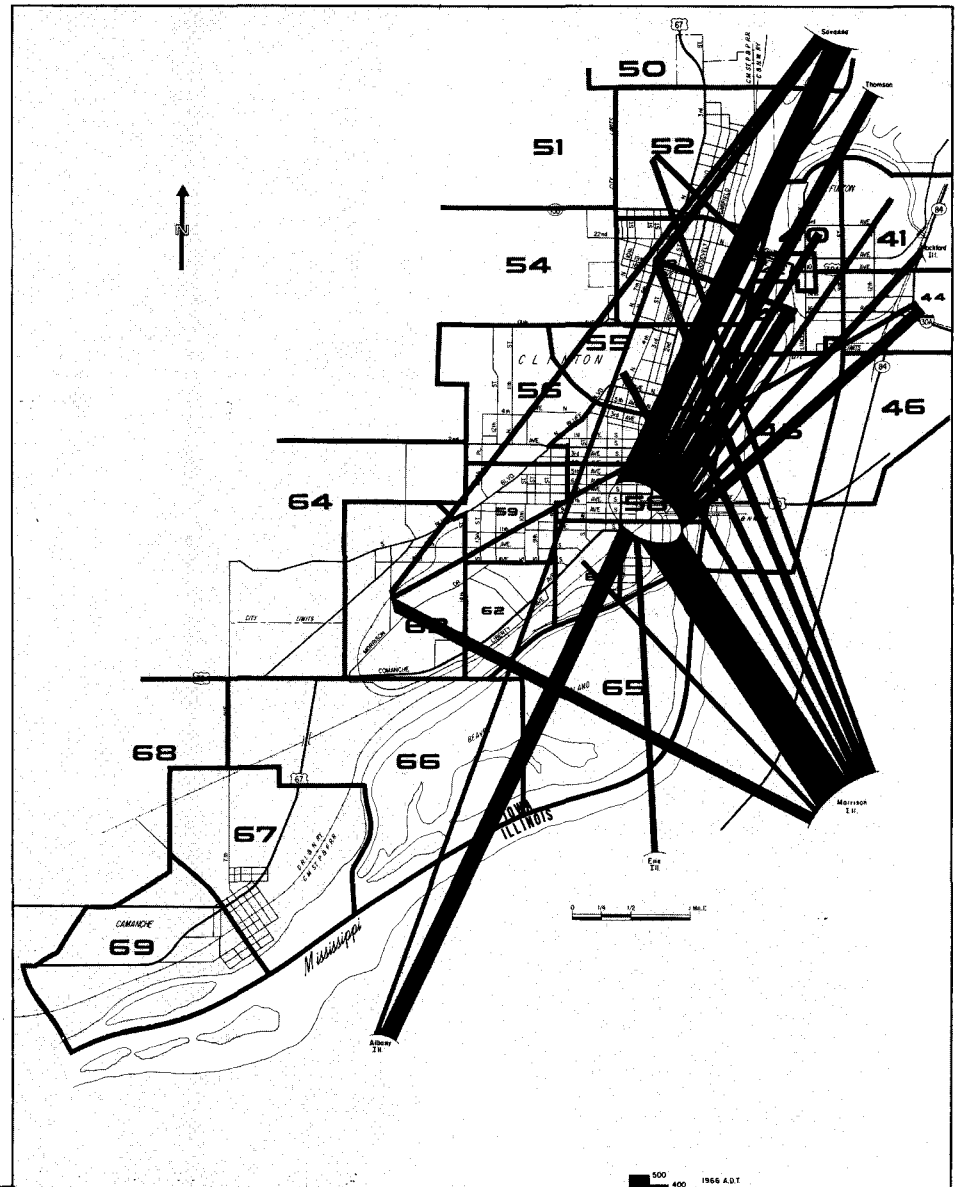
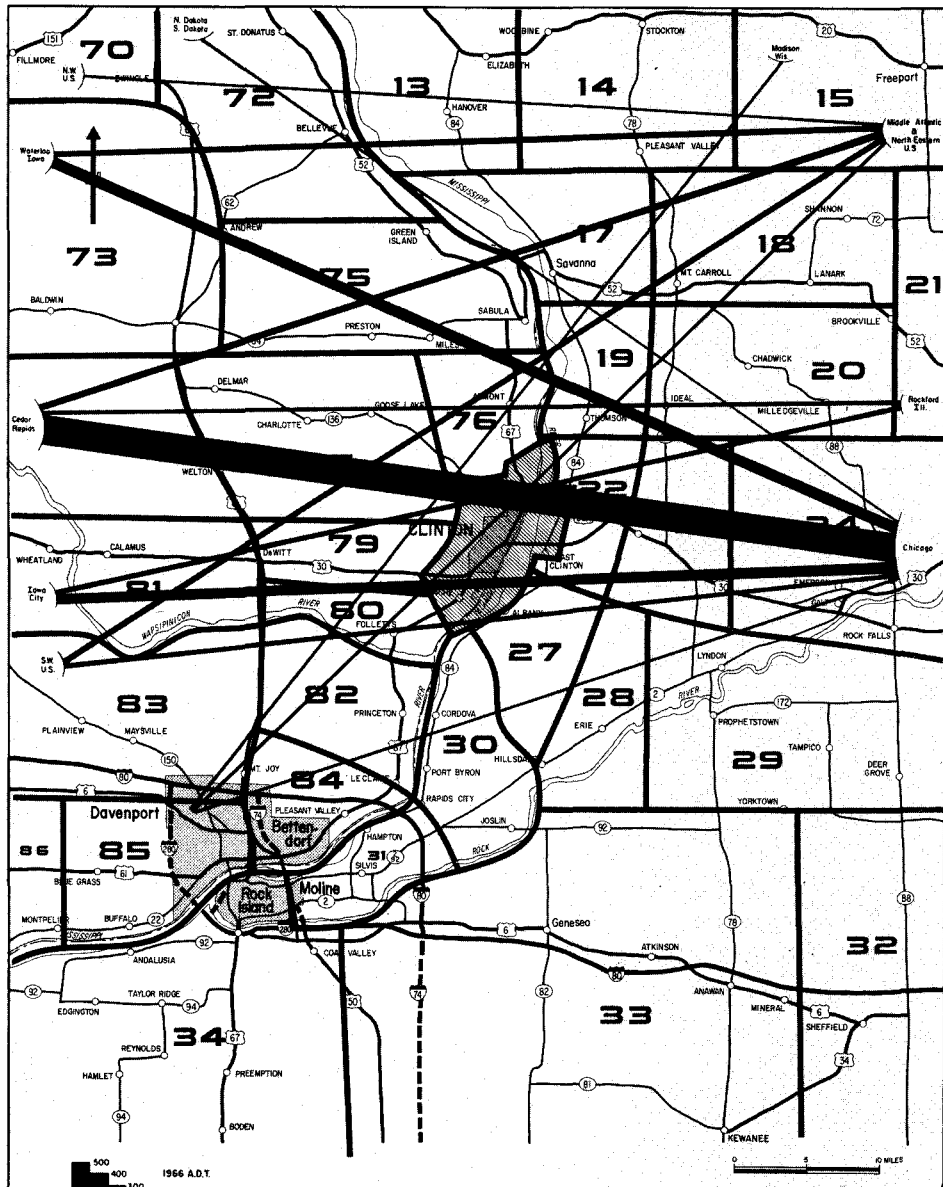
Through traffic movements crossing the Mississippi River via the U. S. Route 30 corridor had major trip termini on the west at Waterloo, Cedar Rapids, Iowa City-Des Moines and Davenport. For example, 56 daily trips traveled through the Clinton area between northeastern United States and Cedar Rapids. The Iowa City-Des Moines areas interchanged 46 daily trips with Rockford, 27 with Sterling-Rock Falls and 95 with Chicago.

## **Typical Time-Distance Relationships**

Representative time-distance relationships for several movements which would have a choice of alternate bridge routings within the Clinton area are shown in Table II-10. The travel times and distances indicated were developed from the route reconnaissance studies conducted on all pertinent highways serving the alternate river bridges. The driving times represent average speeds rather than the fastest driving time that could be achieved between the various trip termini indicated.

TABLE II-10  
TYPICAL TIME-DISTANCE RELATIONSHIPS

<u>BETWEEN</u>	<u>VIA</u>	<u>DISTANCE</u> (miles)	<u>TIME</u> (min.)	<u>AVERAGE</u> <u>MPH</u>	<u>SAVINGS VIA</u> <u>PROPOSED BRIDGE</u>	
					(miles)	(min.)
Savanna and Clinton	Savanna Bridge	20	29	41	0	2
	Proposed Lyons- Fulton Bridge	20	27	42		
Morrison and Clinton (CBD)	Proposed Lyons- Fulton Bridge	15	25	37	-2	-8
	Gateway Bridge	13	17	45		
Morrison and Camanche	Gateway Bridge	16	24	41	-1	2
	Proposed U. S. 30 Bypass Bridge	17	22	46		
Fulton and Le Claire	Proposed U. S. 30 Bypass Bridge	28	36	47		
	Interstate Route 80 Bridge	25	33	46	-3	-3



**TRAVEL DESIRES**  
**PRESENT CLINTON BRIDGES**  
**1966 AVERAGE DAILY TRAFFIC**

*Wilbur Smith and Associates*

**EXHIBIT II-3**

On a trip from Savanna to Clinton, although equal in distance, a savings of two minutes would be realized by using the proposed Lyons-Fulton Bridge as opposed to the Savanna-Sabula Bridge. Between Morrison and downtown Clinton, the trip would be two miles and eight minutes longer via the proposed Lyons-Fulton Bridge than using the present Gateway Bridge.

A trip between Morrison and Camanche using the proposed U. S. Route 30 Bypass in preference to the Gateway Bridge, would be one mile longer but two minutes shorter. Motorists traveling between Fulton and Le Claire would find the proposed U. S. Route 30 Bypass Bridge three miles and three minutes longer than an Interstate Route 80 Bridge routing.

## **ESTIMATED TRAFFIC AND REVENUES**

Estimated traffic and revenues for the proposed Clinton bridges were based upon the number of motorists now using the present Clinton crossings who would continue to make trans-river trips via the present and proposed facilities under revised toll conditions. In addition, possible diversion of some motorists to the new bridges from the closest alternative crossings to the north and south and vice versa was studied.

### **Basic Assumptions**

Estimates of traffic and revenues for the proposed Clinton bridges are predicated on the following assumptions:

1. The facilities will be opened to traffic on July 1, 1971.
2. The bridges and approaches will be constructed on the alignments discussed in this report.
3. The recommended toll schedule will be implemented on the new crossings as well as the present Gateway Bridge.
4. The present Lyons-Fulton Bridge will be closed to highway traffic upon opening of the new facilities.
5. No other new river crossings will be constructed or provided in the reach of the Mississippi River between Davenport and Sabula.
6. The new bridges will be adequately maintained, efficiently operated and effectively signed to encourage maximum usage.
7. The present general trend in economic activity in the study area will continue and no national emergency will arise which would abnormally restrict the use of motor vehicles.

Any departure from the above conditions could materially affect estimated traffic and revenues for the proposed bridges.

## **Recommended Method of Toll Collection**

It is recommended that tolls be collected from all motorists using the proposed bridges at toll plazas located between the two travel lanes on the western approaches to the facilities.

On the Lyons-Fulton Bridge, the toll booth should be designed and constructed to provide for two toll attendants, one collecting tolls from each direction of travel. The plaza design should initially, however, also provide for ultimate expansion to four toll collection lanes with the future lanes to be equipped with automatic toll collection devices.

Only one toll attendant would be necessary to collect tolls from both travel directions on the U. S. Route 30 Bypass Bridge initially. However, provision should be made in the design of the booth to ultimately provide for two toll attendants, one collecting from each direction of travel.

## **Recommended Toll Schedule**

Several toll rates were analyzed to determine an optimum toll structure for the proposed Clinton bridges. The rate studies assumed that all present and proposed crossings would carry the same toll, including the present Gateway Bridge. If tolls were not adjusted on the Gateway crossing to those recommended for the new bridges, a different toll rate would be necessary on the new bridges to achieve an optimum revenue level.

The toll schedule analyses indicated that the preliminary toll schedule, shown in Table II-11, would produce optimum revenues for the proposed crossings while still maintaining a reasonable level of traffic service. A higher toll would tend to discourage usage and would also place an unreasonable financial burden on those persons dependent on the facility for work trips or other necessary trans-river movements. As indicated previously, a high percentage of local traffic now crossing at Clinton has no real alternative trans-river travel route. Conversely, a lower toll would tend to increase usage, but not sufficiently to produce higher toll revenues than those projected.

TABLE II-11  
RECOMMENDED TOLL SCHEDULE

<u>VEHICLE TOLL CLASS</u>	<u>DESCRIPTION</u>	<u>TOLL</u>
1	Two-Axle Vehicles	\$0.30
2	Three-Axle Vehicles and Vehicle Combinations	0.45
3	Four-Axle Vehicles and Vehicle Combinations	0.60
4	Five-Axle Vehicles and Vehicle Combinations	0.75
	Each Additional Axle	0.15

Under the recommended toll schedule, drivers of two-axle vehicles would pay a cash toll of \$0.30 for each crossing. Larger vehicles would be charged a toll based on a rate of \$0.15 per axle. For example, three-axle vehicles and vehicle combinations would pay a \$0.45 toll while four-axle vehicles and vehicle combinations would pay a toll of \$0.60. The recommended per-axle toll would provide maximum control and auditing benefits as well as being easily understood by bridge users.

### **Estimated Base Year (1966) Traffic Assignments**

The number of motorists that would use the proposed Clinton crossings at base year (1966) traffic levels was estimated based upon relative trip costs via the present Gateway Bridge and the closest river crossings to the north and south versus the proposed new facilities.

Previous studies indicate a good correlation between the ratio of road-user costs and the proportion of vehicles that will use alternative routes available. In general, equal costs for alternate routes indicate an equal division of a traffic movement. A high ratio of trip costs for use of a new bridge to costs via the most competitive routing, indicates a lower percentage of traffic is assignable to the proposed facility. Conversely, a low ratio of road-user costs via the new facility to cost via the most competitive alternative routing, indicates that a high percentage of traffic is divertible.



The route reconnaissance studies made during the field phases of this project were used as the basis for assigning trip times and distances via alternative crossings. In addition to mileage and time costs, tolls were also added to arrive at total estimated trip costs.

The travel patterns determined from the origin and destination studies conducted in 1966 by the Iowa State Highway Commission were used as a basis for determining a redistribution of trans-river trips, assuming the proposed Clinton crossings were constructed and recognizing the opening of the Interstate Route 80 crossing in October, 1966, after conduct of the travel pattern surveys. Each trans-river traffic movement was independently analyzed to determine relative trip times, distances and total costs via the present Gateway and Interstate Route 80 Bridges versus the proposed new crossings. Using empirical diversion curves developed from similar studies, traffic assignments were then made to each of the crossings.

Since the recommended toll for the proposed bridges is somewhat higher than that in effect on the present Clinton crossings, consideration was given to possible diversion of some motorists to the Savanna-Sabula Bridge. This diversion was found to be negligible since the toll at Sabula is higher than that recommended at Clinton. However, the higher toll recommended is expected to result in a decrease in overall trip production through some "car-pooling" of work trips and fewer trans-river shopping and social trips. A determination of the magnitude of this decrease in travel due to toll impact was based on trip purpose data obtained from the Comprehensive Study surveys conducted in Clinton and on experience on comparable facilities elsewhere.

As shown in Table II-12, an estimated 2,975 vehicles, at 1966 average summer weekday traffic levels, were assigned to the proposed Lyons-Fulton Bridge and 1,269 to the proposed U. S. Route 30 Bypass Bridge. An additional 737 vehicles were assigned to the Interstate Route 80 crossing, leaving 2,990 vehicles on the present Gateway Bridge.

It is estimated that the proposed Lyons-Fulton Bridge will attract some motorists from the present Gateway crossing due to the weight restrictions in

effect on the present Lyons-Fulton Bridge and also because the new alignment is closer to the center of traffic generation in Clinton. The proposed U. S. Route 30 Bypass is expected to draw most of its traffic from the Gateway Bridge. The Interstate Route 80 crossing primarily affected the Gateway Bridge since the latter carries all of the heavy trucks moving in the U. S. Route 30 corridor.

TABLE II-12

ESTIMATED BASE YEAR, 1966, DIVERTED TRAFFIC ASSIGNMENTS

Average Summer Weekday Traffic

<u>TRAFFIC ASSIGNED TO:</u>	<u>PRESENT GATEWAY BRIDGE</u>	<u>PRESENT LYONS- FULTON BRIDGE</u>	<u>TOLL <sup>(1)</sup> IMPACT LOSS</u>	<u>TOTAL 1966 ASWT ASSIGNMENTS</u>
Proposed Lyons-Fulton Bridge from:	1,000	2,379	— 404	2,975
Gateway Bridge from:	3,382	— —	— 392	2,990
Proposed U. S. Route 30 Bypass Bridge from:	1,060	286	— 77	1,269
Interstate Route 80 Bridge from:	703	34	— —	737
<b>TOTAL</b>	<b>6,145</b>	<b>2,699</b>	<b>— 873</b>	<b>7,971</b>

<sup>(1)</sup> Resulting from trans-river toll change from a basic passenger car rate of \$0.20 to \$0.30.

**Estimated 1967-68 Diverted Traffic**

The 1966 average summer weekday assignments, discussed in Table II-12, were expanded to fiscal 1967-68 levels in proportion to the traffic growths or decreases which occurred on the Gateway and Lyons-Fulton Bridges between

the two periods and considering seasonal variations. As shown in Table II-13, an estimated 3,118 vehicles were assigned to the proposed Lyons-Fulton Bridge at 1967-68 levels of which, 2,941 were two-axle vehicles, 71 — three-axle vehicles, 35 — four-axle vehicles and 71 — five-axle vehicles. The U. S. Route 30 Bypass Bridge was assigned a total of 1,294 vehicles per day including 1,175 two-axle, 21 — three-axle, 27 — four-axle and 71 — five-axle vehicles.

TABLE II-13  
ESTIMATED (1967-68) DIVERTED TRAFFIC<sup>(1)</sup>  
Proposed Clinton Crossings  
Average Daily Traffic

VEHICLE TOLL CLASS	DESCRIPTION	LYONS- FULTON BRIDGE	U. S. ROUTE 30 BYPASS BRIDGE
1	Two-Axle Vehicles	2,941	1,175
2	Three-Axle Vehicles and Vehicle Combinations	71	21
3	Four-Axle Vehicles and Vehicle Combinations	35	27
4	Five-Axle Vehicles and Vehicle Combinations	71	71
TOTAL		3,118	1,294

<sup>(1)</sup> Twelve-month period beginning July 1, 1967.

### Estimated Annual Traffic and Toll Revenues

Annual growth in usage of the proposed Clinton bridges was estimated based upon normal increases in trans-river traffic which might be anticipated over the next several years in the Clinton travel corridor, and also on generated and development traffic. Generated traffic would consist of additional trips made by motorists now moving in the bridge travel corridor, solely due

to the convenience and attractiveness of a new facility. Development traffic would occur from growths in residential, commercial and industrial activity resulting from the location and access advantages afforded by and directly attributed to a proposed bridge.

Estimates of normal growth in the travel corridor were based upon trends in actual use of the present Clinton bridges. In addition, trends and projected increases in population and other economic parameters in the bridge study area were considered.

It is estimated that a normal corridor traffic growth of 4.0 per cent per year will occur on the proposed Lyons-Fulton Bridge between 1967 and 1971. This is estimated to decrease to 3.5 per cent annually between 1971 and 1977, to 3.0 per cent between 1977 and 1981 and to 2.5 per cent annually thereafter through 1985. A somewhat lower growth schedule was estimated for the proposed U. S. Route 30 Bypass with an annual increase of 3.0 per cent projected between 1967 and 1977, decreasing to 2.5 per cent per year thereafter to 1985. For purposes of conservatism, no normal traffic growth was projected beyond 1985, although some increase in usage is anticipated.

Estimated induced or generated and development growth was based on experience during the early years of operation of similar facilities and taking into consideration operating characteristics of the present bridges as well as the development potential of the study area. The present Lyons-Fulton Bridge prohibits use by large commercial vehicles. In addition, it is a narrow, undesirable facility. Therefore, a first year traffic inducement of five per cent was estimated, decreasing to three per cent during the second year of operation.

The proposed U. S. Route 30 Bypass Bridge would provide a river crossing in an area not now directly provided with trans-river traffic service. Therefore, higher traffic inducements were estimated for this crossing ranging from 20 per cent in the first year, to 10 per cent in the second year and 5 per cent in the following year.

As shown in Table II-14, it is estimated that an average of 3,830 vehicles per day will use the proposed Lyons-Fulton Bridge during its first full year of operation, the twelve-month period beginning July 1, 1971, producing annual toll revenues of \$443,000. By the 15th year of operation, an estimated 6,020 vehicles per day will use the crossing, resulting in annual revenues of \$697,000.

Average annual toll revenues over the first five years of operation are estimated at \$487,000. Over the 28-year earning period of the assumed bond issue, average annual revenues of \$632,000 are projected.

The proposed U. S. Route 30 Bypass Bridge will carry an estimated 1,750 vehicles per day during its first full year of operation generating annual toll revenues of \$213,000. This will increase to an estimated 2,930 vehicles per day in 1985 and annual revenues of \$357,000. Average annual toll revenues over the first five years of operation are estimated at \$252,000 increasing to an estimated \$325,000 over the 28-year earning period.

TABLE II-14  
ESTIMATED ANNUAL TRAFFIC AND REVENUES

FISCAL YEAR <sup>(1)</sup>	LYONS-FULTON BRIDGE		U. S. ROUTE 30 BYPASS BRIDGE	
	Average Daily Traffic	Gross Revenues	Average Daily Traffic	Gross Revenues
1971	3,830	\$443,000	1,750	\$213,000
1972	4,080	472,000	1,980	241,000
1973	4,220	489,000	2,140	261,000
1974	4,370	506,000	2,200	268,000
1975	4,530	524,000	2,270	277,000
1976	4,680	542,000	2,340	285,000
1977	4,850	561,000	2,410	293,000
1978	4,990	578,000	2,470	301,000
1979	5,140	595,000	2,530	308,000
1980	5,300	613,000	2,590	316,000
1981	5,460	631,000	2,660	324,000
1982	5,590	647,000	2,720	332,000
1983	5,730	663,000	2,790	340,000
1984	5,880	680,000	2,860	349,000
1985	6,020	697,000	2,930	357,000
Next 13 Years				
Annually	6,020	\$697,000	2,930	\$357,000
<b>AVERAGE ANNUAL REVENUES</b>				
First Five Years		\$487,000		\$252,000
First Ten Years		\$532,000		\$276,000
Twenty-Eight Years		\$632,000		\$325,000

<sup>(1)</sup> Twelve-month period beginning July 1.

## **PRELIMINARY PROJECT FEASIBILITY**

Net toll revenues derived from the proposed Clinton bridges were determined by deducting the estimated annual maintenance and operating costs developed by Howard, Needles, Tammen & Bergendoff from gross revenues anticipated from the projects. Preliminary project feasibility computations were then made by relating estimated net revenues to the maximum interest and level debt service requirements of a bond issue, sufficient to meet the estimated capital costs of the proposed bridges.

### **Estimated Annual Net Revenues**

Estimated annual net revenues for the proposed Lyons-Fulton Bridge are presented in Table II-15. During the first full year of operation, the twelve-month period beginning July 1, 1971, net revenues of \$373,000 are estimated, increasing to \$571,000 in 1985, the fifteenth year of operation.

Average annual net revenues over the first five years of operation are estimated at \$409,000, increasing to \$444,000 over the first ten years. During the 28-year earning period, net revenues would average \$521,000 annually.

Estimated annual net revenues for the proposed U. S. Route 30 Bypass Bridge are given in Table II-16. During the first year of operation, net revenues of \$153,000 are estimated, increasing to \$255,000 in 1985, the fifteenth year of operation.

Average annual net revenues over the first five years of operation are estimated at \$186,000, increasing to \$203,000 over the first ten years. During the 28-year earning period, net revenues would average \$234,000 annually.

### **Preliminary Project Feasibility**

There are two "tests" which financial advisors normally employ to determine a relative range of feasibility of a toll project. The first test is the

**TABLE II-15**  
**ESTIMATED ANNUAL NET REVENUES**  
**Lyons-Fulton Bridge**

<u>FISCAL YEAR<sup>(1)</sup></u>	<u>GROSS TOLL REVENUES</u>	<u>MAINTENANCE AND OPERATING COSTS<sup>(2)</sup></u>	<u>NET REVENUES</u>
1971	\$443,000	\$ 70,000	\$373,000
1972	472,000	74,000	398,000
1973	489,000	78,000	411,000
1974	506,000	82,000	424,000
1975	524,000	86,000	438,000
1976	542,000	90,000	452,000
1977	561,000	94,000	467,000
1978	578,000	98,000	480,000
1979	595,000	102,000	493,000
1980	613,000	106,000	507,000
1981	631,000	110,000	521,000
1982	647,000	114,000	533,000
1983	663,000	118,000	545,000
1984	680,000	122,000	558,000
1985	697,000	126,000	571,000
Next 13 Years Annually	\$697,000	\$126,000	\$571,000
<b>AVERAGE ANNUAL REVENUES</b>			
First Five Years			\$409,000
First Ten Years			\$444,000
Twenty-Eight Years			\$521,000

<sup>(1)</sup> Twelve-month period beginning July 1.

<sup>(2)</sup> Estimated by Howard, Needles, Tammen & Bergendoff.



TABLE II-16  
ESTIMATED ANNUAL NET REVENUES  
U. S. Route 30 Bypass Bridge

FISCAL YEAR <sup>(1)</sup>	GROSS TOLL REVENUES	MAINTENANCE AND OPERATING COSTS <sup>(2)</sup>	NET REVENUES
1971	\$213,000	\$ 60,000	\$153,000
1972	214,000	63,000	178,000
1973	261,000	66,000	195,000
1974	268,000	69,000	199,000
1975	277,000	72,000	205,000
1976	285,000	75,000	210,000
1977	293,000	78,000	215,000
1978	301,000	81,000	220,000
1979	308,000	84,000	224,000
1980	316,000	87,000	229,000
1981	324,000	90,000	234,000
1982	332,000	93,000	239,000
1983	340,000	96,000	244,000
1984	349,000	99,000	250,000
1985	357,000	102,000	255,000
Next 13 Years Annually	\$357,000	\$102,000	\$255,000
 <b>AVERAGE ANNUAL REVENUES</b>			
First Five Years			\$186,000
First Ten Years			\$203,000
Twenty-Eight Years			\$234,000

<sup>(1)</sup> Twelve-month period beginning July 1.

<sup>(2)</sup> Estimated by Howard, Needles, Tammen & Bergendoff.

coverage of maximum or first year interest by first year net revenues; the second test is the coverage of level debt service by average annual net revenues over the earning period of an assumed bond issue.

As a measure of feasibility, financial interests normally assume a first year net revenue coverage of a maximum interest of 1.20 to be satisfactory. An average annual net revenue coverage of level debt service greater than 1.50 is normally considered indicative of financial feasibility.

The feasibility computations shown in Table II-17 were developed assuming a bond interest rate of 5.5 per cent and a bond term of 30 years. Based on project costs developed by Howard, Needles, Tammen & Bergendoff, it is estimated that a bond issue of \$8,046,000 would be required for the proposed Lyons-Fulton Bridge project and \$10,422,000 for the proposed U. S. Route 30 Bypass Bridge. The escalation from project costs to bond issue include such financing items as bond discount, legal and financial fees, capitalized interest during construction, etc. Based on the relationship of project costs to bond issue size of several comparable projects which have been financed, a factor of 1.2 was applied to project costs to determine a preliminary bond issue.

As shown in Table II-17, first year net revenues for the proposed Lyons-Fulton Bridge would cover first year or maximum interest 0.84 times. Average annual net revenues would cover 28-year level debt service 0.91 times. First year net revenues for the proposed U. S. Route 30 Bypass Bridge would cover first year or maximum interest 0.27 times. Average annual net revenues would provide a 28-year level debt service coverage of 0.32. Coverage values for both facilities are considerably below the levels normally assumed as indicative of financial feasibility.

It should be emphasized, however, that the above computations were developed only as a guide and that a final determination of project feasibility should be made by financial advisors selected for this purpose. The coverages indicate that very substantial subsidies would be required to finance the proposed facilities.

**TABLE II-17**  
**PRELIMINARY PROJECT FEASIBILITY**

<u>ITEMS</u>	<u>LYONS-FULTON BRIDGE</u>	<u>U. S. ROUTE 30 BYPASS BRIDGE</u>
Bond Term	30 Years	
Bond Earning Period	28 Years	
Bond Interest Rate	5.5 Per Cent	
Preliminary Project Costs <sup>(1)</sup>	\$6,705,000	\$ 8,685,000
Estimated Bond Issue <sup>(2)</sup>	8,046,000	10,422,000
First Year Interest	443,000	573,000
Level Debt Service 28 Years	570,000	738,000
Estimated First Year Net Revenues	373,000	153,000
Estimated Average Annual Net Revenues 28 Years	521,000	234,000
<b>COVERAGES</b>		
First Year Interest by First Year Net Revenues	0.84	0.27
Level Debt Service by Average Annual Net Revenues 28 Years	0.91	0.32

<sup>(1)</sup> Estimated by Howard, Needles, Tammen & Bergendoff.

<sup>(2)</sup> Assumes ratio of project cost to bond issue of 1.0 to 1.2.

### **Relationship Between Level Debt Service and Net Revenues**

Some indication of the relative amount of subsidy necessary to supplement net revenues, in order to meet level debt service, is shown in Table II-18 for the Lyons-Fulton Bridge and in Table II-19 for the U. S. Route 30 Bypass Bridge. The proposed Lyons-Fulton Bridge project would require a total subsidy of \$1,366,000 to meet level debt service requirements over the bond term, while subsidies for the proposed U. S. Route 30 Bypass Bridge would total \$14,099,000.

TABLE II-18

## RELATIONSHIP BETWEEN LEVEL DEBT SERVICE AND NET REVENUES

## Lyons-Fulton Bridge

FISCAL YEAR <sup>(1)</sup>	NET REVENUES	LEVEL DEBT SERVICE	NET REVENUES TO LEVEL DEBT SERVICE	
			Deficit	Surplus
1971	\$373,000	\$570,000	\$ 197,000	
1972	398,000	570,000	172,000	
1973	411,000	570,000	159,000	
1974	424,000	570,000	146,000	
1975	438,000	570,000	132,000	
1976	452,000	570,000	118,000	
1977	467,000	570,000	103,000	
1978	480,000	570,000	90,000	
1979	493,000	570,000	77,000	
1980	507,000	570,000	63,000	
1981	521,000	570,000	49,000	
1982	533,000	570,000	37,000	
1983	545,000	570,000	25,000	
1984	558,000	570,000	12,000	
1985	571,000	570,000		\$1,000
1986	571,000	570,000		1,000
1987	571,000	570,000		1,000
1988	571,000	570,000		1,000
1989	571,000	570,000		1,000
1990	571,000	570,000		1,000
1991	571,000	570,000		1,000
1992	571,000	570,000		1,000
1993	571,000	570,000		1,000
1994	571,000	570,000		1,000
1995	571,000	570,000		1,000
1996	571,000	570,000		1,000
1997	571,000	570,000		1,000
1998	571,000	570,000		1,000
	<b>TOTAL</b>		<b>\$1,380,000</b>	<b>\$14,000</b>

<sup>(1)</sup> Twelve-month period beginning July 1.

TABLE II-19

## RELATIONSHIP BETWEEN LEVEL DEBT SERVICE AND NET REVENUES

U. S. Route 30 Bypass Bridge

<u>FISCAL YEAR<sup>(1)</sup></u>	<u>NET REVENUES</u>	<u>LEVEL DEBT SERVICE</u>	<u>NET REVENUES TO LEVEL DEBT SERVICE DEFICIT</u>
1971	\$153,000	\$738,000	\$585,000
1972	178,000	738,000	560,000
1973	195,000	738,000	543,000
1974	199,000	738,000	539,000
1975	205,000	738,000	533,000
1976	210,000	738,000	528,000
1977	215,000	738,000	523,000
1978	220,000	738,000	518,000
1979	224,000	738,000	514,000
1980	229,000	738,000	509,000
1981	234,000	738,000	504,000
1982	239,000	738,000	499,000
1983	244,000	738,000	494,000
1984	250,000	738,000	488,000
1985	255,000	738,000	483,000
1986	255,000	738,000	483,000
1987	255,000	738,000	483,000
1988	255,000	738,000	483,000
1989	255,000	738,000	483,000
1990	255,000	738,000	483,000
1991	255,000	738,000	483,000
1992	255,000	738,000	483,000
1993	255,000	738,000	483,000
1994	255,000	738,000	483,000
1995	255,000	738,000	483,000
1996	255,000	738,000	483,000
1997	255,000	738,000	483,000
1998	255,000	738,000	483,000
TOTAL			<u>\$14,099,000</u>

<sup>(1)</sup> Twelve-month period beginning July 1.

# **APPENDIX**

**Iowa Senate File 131**

**The General Bridge Act**

**Public Law 526 - 78th Congress**

**Public Law 357 - 79th Congress**

**Public Law 220 - 81st Congress**

**Public Law 70 - 83rd Congress**

**Public Law 85 -757 - 85th Congress**

**Public Law 87-441 - 87th Congress**

**Public Law 89-498 - 89th Congress**

**Public Law 90-483-90th Congress**

STATE HIGHWAY COMMISSION – INTERSTATE BRIDGES  
SENATE FILE 131

AN ACT AUTHORIZING THE STATE HIGHWAY COMMISSION TO ACQUIRE, PURCHASE AND CONSTRUCT INTERSTATE BRIDGES, APPROACHES THERETO AND SITES THEREFOR, TO RECONSTRUCT, COMPLETE, IMPROVE, REPAIR, REMODEL, CONTROL, MAINTAIN, AND OPERATE INTERSTATE BRIDGES, TO ESTABLISH TOLLS AND CHARGES FOR THE USE OF INTERSTATE BRIDGES, TO BORROW MONEY AND ISSUE BONDS PAYABLE SOLELY FROM THE REVENUES DERIVED FROM THE OPERATION OF INTERSTATE BRIDGES, AND TO REFUND BONDS PAYABLE FROM SUCH REVENUES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. The following words or terms, as used in this Act, shall have the respective meanings as stated:

"Toll bridge" shall mean an interstate bridge constructed, purchased or acquired under the provisions of this Act, upon which tolls are charged, together with all appurtenances, additions, alterations, improvements, and replacements thereof, and the approaches thereto, and all lands and interests therein used therefor, and buildings and improvements thereon.

"Commission" shall mean the state highway commission, the agency of the state of Iowa created and provided for under the provisions of chapter three hundred seven (307) of the Code.

"Construct, constructing, construction or constructed" shall include the reconstruction, remodeling, repair, or improvement of any existing toll bridge as well as the construction of any new toll bridge.

"Acquisition by purchase, gift, or condemnation" as used in this Act shall mean acquisition by the state highway commission, whether such terms "purchase, gift, or condemnation" are used singularly or in sequence.

Section 2. The state highway commission shall have full charge of the construction and acquisition of all toll bridges constructed or acquired under the provisions of this Act, the operation and maintenance thereof and the imposition and collection of tolls and charges for the use thereof. The commission shall have full charge of the design of all toll bridges constructed under the provisions of this Act. The commission shall proceed with the construction of such toll bridges and other facilities and the approaches thereto by contract immediately upon there being made available funds for such work and shall prosecute such work to completion as rapidly as practicable. The commission shall advertise for bids for the construction, reconstruction, improvement, repair or remodeling of any toll bridge by publication of a notice once each week for at least two (2) consecutive weeks in a newspaper published and having a general circulation throughout the state of Iowa, the first publication to appear at least fifteen (15) days prior to the date set for receiving bids. The commission shall have the power to accept such offer or offers, propositions or bids, and enter into such contract or contracts as it shall deem to be to the best interest of the state.

Section 3. The commission is hereby authorized to establish and construct toll bridges upon any public highway, together with approaches thereto, wherever it is considered necessary or advantageous and practical for crossing any navigable river between this state and an adjoining state. The necessity or advantage and practicality of any toll bridge shall be determined by the commission. To obtain information for the consideration of the commission upon the construction of any toll bridge or any other matter pertaining thereto, any officer or employee of the state, upon the request of the commission, shall make reasonable examination, investigation, survey, or reconnaissance to determine material facts pertaining thereto and shall report such findings to the commission. The cost thereof shall be borne by the department or office conducting it from funds provided for its functions.

Section 4. The commission is hereby authorized to enter into agreements with any federal bridge commission or any county, city, or town of this state, and with an adjoining state or county, city, or town thereof, for the purpose of implementing an investigation of the feasibility of any toll bridge project for the bridging of a navigable river forming a portion of the boundary of this state and such adjoining state. The commission may use any funds available for the purposes of this section. Such agreements may provide that in the event any such project is determined to be feasible and adapted, any advancement of funds by any state, county, city, or town may be reimbursed out of any proceeds derived from the sale of bonds or out of tolls and revenues to be derived from such project.

Section 5. Whenever the commission deems it necessary or advantageous and practical, it may acquire by gift, purchase, or condemnation any interstate bridge which connects with or may be connected with the public highways and the approaches thereto, except that the commission may not condemn an existing interstate bridge used for interstate highway traffic and combined highway and railway traffic and presently owned by a municipality, or a person, firm, or corporation engaged in

interstate commerce. In connection with the acquisition of any such bridge, the commission and any federal bridge commission or any city, town, county, or other political subdivision of the state are authorized to do all acts and things as in this Act are provided for the establishing and constructing of toll bridges and operating, financing, and maintaining such bridges insofar as such powers and requirements are applicable to the acquisition of any toll bridge and its operation, financing, and maintenance. In so doing, they shall act in the same manner and under the same procedures as provided for establishing, constructing, operating, financing, and maintaining toll bridges insofar as such manner and procedures are applicable. Without limiting the generality of the above provisions, the commission is hereby authorized to cause surveys to be made to determine the propriety of acquiring any such bridge and the rights-of-way necessary therefor, and other facilities necessary to carry out the provisions hereof; to issue, sell, redeem bonds or issue and exchange bonds with present holders of outstanding bonds of bridges being acquired under the provisions of this Act and deposit and pay out of the proceeds of the bonds for the financing thereof; to impose, collect, deposit, and expend tolls therefrom; to secure and remit financial and other assistance in connection with the purchase thereof, and to carry insurance thereon.

Section 6. The commission, its officials, and all state officials are hereby authorized to perform such acts and make such agreements consistent with the law which are necessary and desirable in connection with the duties and powers conferred upon them regarding the construction, maintenance, and operation and insurance of toll bridges or the safeguarding of the funds and revenues required for such construction and the payment of the indebtedness incurred therefor. The commission shall adopt such rules and regulations in accordance with the provisions of chapter seventeen A (17A) of the Code as it may deem necessary for the administration and exercise of its powers and duties granted by this Act, and shall prepare annual financial statements regarding the operation of such toll bridges which shall be made available for inspection by the public and by the holders of revenue bonds issued by the commission under the provisions of this Act at all reasonable times.

Section 7. Whenever the commission deems it to be in the best interest of the primary highway system that any new toll bridge be constructed upon any public highway and across any navigable river between this state and an adjoining state, the commission shall adopt a resolution declaring that the public interest and necessity require the construction of such toll bridge and authorizing the issuance of revenue bonds in an amount sufficient for the purpose of obtaining funds for such construction. The issuance of bonds as provided in this Act for the construction, purchase, or acquisition of more than one (1) toll bridge may, at the discretion of the commission, be included in the same authority and issue or issues of bonds, and the commission is hereby authorized to pledge the gross revenues derived from the operation of any such toll bridge under its control and jurisdiction to pay the principal of and interest on bonds issued to pay the cost of purchasing, acquiring, or constructing any such toll bridge financed under the provisions of this Act. The commission is hereby granted wide discretion, in connection with the financing of the cost of any toll bridge, to pledge the gross revenues of a single toll bridge for the payment of bonds and interest thereon issued to pay the cost of such bridge and to pledge the gross revenues of two (2) or more toll bridges to pay bonds issued to pay the cost of one (1) or more toll bridges and interest thereon as long as the several bridges included herein are not more than ten (10) miles apart.

In addition, if the commission in its discretion determines that the construction of a toll bridge cannot be financed entirely through revenue bonds and that the construction of such toll bridge is necessary, the commission may advance funds from the primary highway fund to pay for that part of the construction cost, including the cost of approaches and all incidental costs, which is not paid out of the proceeds of revenue bonds. After all revenue bonds and interest thereon issued and sold pursuant to this Act and payable from the tolls and revenues of said bridge have been fully paid and redeemed or funds sufficient to pay said bonds and interest, including premium, if any, have been set aside and pledged for that purpose, then such amount advanced from the primary road fund shall be repaid to the primary road fund from the tolls and revenues of said bridge before said bridge is made a toll free bridge under the provisions of this Act.

Section 8. Whenever the commission shall authorize the construction of any toll bridge, the commission is empowered to secure rights-of-way therefor and for approaches thereto by gift or purchase or by condemnation in the manner provided by law for the taking of private property for public purposes.

Section 9. The right-of-way is hereby given, dedicated, and set apart upon which to locate, construct, and maintain toll bridges or approaches thereto or other highway crossings, and transportation facilities thereof or thereto, through, over or across any of the lands which are now or may be the property of this state, including highways; and through, over, or across the streets, alleys, lanes, and roads within any city, town, county, or other political subdivision of the state. If any property belonging to any city, town, county or other political subdivision of the state is required to be taken for the construction of any such bridge or approach thereto or should any such property be injured or damaged by such construction, such compensation therefor as may be proper or necessary and as shall be agreed upon may be paid by the commission to the particular county, city, town, or other political subdivision of the state owning such property, or condemnation proceedings may be brought for the determination of such compensation.

Section 10. Before the commission shall proceed with any action to secure right-of-way or with the construction of any toll bridge under the provisions of this Act, it shall first pass a resolution finding that public interest and necessity require the acquisition of right-of-way for and the construction of such toll bridge. Such resolution shall be conclusive evidence of the public necessity of such construction and that such property is necessary therefor. To aid the commission in determining the public interest, a public hearing shall be held in the county or counties of this state in which any portion of a bridge is proposed to be located. Notice of such hearing shall be published at least once in a newspaper published and having a general circulation in the county or counties where such bridge is proposed to be located, not less than twenty (20) days prior to the date of the hearing. When it becomes necessary for the commission to condemn any real estate to be used in connection with any such bridge, or to condemn any existing bridge, such condemnation shall be carried out in a manner consistent with the provisions of chapters four hundred seventy-one (471) and four hundred seventy-two (472) of the Code. In eminent domain proceedings to acquire property for any of the purposes of this Act, any bridge, real property, personal property, franchises, rights, easements, or other property or privileges appurtenant thereto appropriated or dedicated to a public use or purpose by any person, firm, private, public or municipal corporation, county, city or town, district, or any political subdivision of the state, may be condemned and taken, and the acquisition and use thereof as herein provided for the same public use or purpose to which such property has been so appropriated or dedicated, or for any other public use or purpose, shall be deemed a superior and permanent right and necessity, and a more necessary use and purpose than the public use or purpose to which such property has already been appropriated or dedicated, and any condemnation award may be paid from the proceeds of revenue bonds issued under the provisions of this Act.

Section 11. If the commission determines that any toll bridge should be constructed or acquired under its authority, all costs thereof, including land, right-of-way, surveying, engineering, construction, legal and administrative expenses, and fees of any fiscal adviser, shall be paid out of any funds available for payment of the cost of the bridge.

Section 12. The commission is hereby authorized and empowered to issue revenue bonds for the acquisition, purchase or construction of any interstate bridge. Any and all bonds issued by the commission for the acquisition, purchase, or construction of any interstate bridge under the authority of this Act shall be issued in the name of the Iowa highway commission and shall constitute obligations only of the commission, shall be identified by some appropriate name, and shall contain a recital on the face thereof that the payment or redemption of said bonds and the payment of the interest thereon are secured by a direct charge and lien upon the tolls and other revenues of any nature whatever received from the operation of the particular bridge for the acquisition, purchase, or construction of which the bonds are issued and of such other bridge or bridges as may have been pledged therefor, and that neither the payment of the principal or any part thereof nor of the interest thereon or any part thereof constitutes a debt, liability, or obligation of the state of Iowa. When it is determined by the commission to be in the best public interest, any bonds issued under the provisions of this Act may be refunded and refinanced at a lower rate, the same rate or a higher rate or rates of interest and from time to time as often as the commission shall find it to be advisable and necessary so to do. Bonds issued to refund other bonds theretofore issued by the commission under the provisions of this Act may either be sold in the manner hereinafter provided and the proceeds thereof applied to the payment of the bonds being refunded, or the refunding bonds may be exchanged for and in payment and discharge of the bonds being refunded. The refunding bonds may be sold or exchanged in installments at different times or an entire issue or series may be sold or exchanged at one (1) time. Any issue or series or refunding bonds may be exchanged in part or sold in part in installments at different times or at one (1) time. The refunding bonds may be sold at any time on, before, or after the maturity of any of the outstanding bonds to be refinanced thereby and may be issued for the purpose of refunding a like or greater principal amount of bonds, except that the principal amount of the refunding bonds may exceed

the principal amount of the bonds to be refunded to the extent necessary to pay any premium due on the call of the bonds to be refunded or to fund interest in arrears or about to become due. The gross revenues of any toll bridge pledged to the payment of the bonds being refunded, together with the unpledged gross revenues of any other toll bridges located within ten (10) miles of said bridge, may be pledged by the commission to pay the principal of and interest on the refunding bonds and to create and maintain reserves therefor.

The commission is empowered to receive and accept funds from the state of Iowa or the federal government or any other state upon a cooperative or other basis for the acquisition, purchase, or construction of any interstate bridge authorized under the provisions of this Act and is empowered to enter into such agreements with the state of Iowa or any other state or the federal government as may be required for the securing of such funds.

The commission is authorized and empowered to spend from annual primary road fund receipts sufficient moneys to pay the cost of operation, maintenance, insurance, collection of tolls and accounting therefor and all other charges incidental to the operation and maintenance of any toll bridge administered under the provisions of this Act.

Section 13. The revenue bonds may be issued and sold or exchanged by the commission from time to time and in such amounts as it deems necessary to provide sufficient funds for the acquisition, purchase, or construction of any such bridge and to pay interest on bonds issued for the construction of any toll bridge during the period of actual construction and for six (6) months after completion thereof. The commission is hereby authorized to adopt all necessary resolutions prescribing the form, conditions, and denominations of the bonds, the maturity dates therefor, and the interest rate or rates which the bonds shall bear. All bonds of the same issue need not bear the same interest rate. Principal and interest of the bonds shall be payable at such place or places within or without the state of Iowa as determined by the commission, and the bonds may contain provisions for registration as to principal or interest, or both. Interest shall be payable at such times as determined by the commission and the bonds shall mature at such times and in such amounts as the commission prescribes. The commission may provide for the retirement of the bonds at any time prior to maturity, and in such manner and upon payment of such premiums as it may determine in the resolution providing for the issuance of the bonds. All such bonds and any coupons attached thereto shall be signed by such officials of the commission as the commission may direct. Successive issues of such bonds within the limits of the original authorization shall have equal preference with respect to the payment of the principal thereof and the payment of interest thereon. The commission may fix different maturity dates, serially or otherwise, for successive issues under any one (1) original authorization. All bonds issued under the provisions of this Act shall have all the qualities of negotiable instruments under the laws of the state of Iowa. All bonds issued and sold hereunder shall be sold to the highest and best bidder on the basis of sealed proposals received pursuant to a notice specifying the time and place of sale and the amount of bonds to be sold which shall be published at least once not less than seven (7) days prior to the sale in a newspaper published in the state of Iowa and having a general circulation in said state. None of the provisions of chapter seventy-five (75) of the Code shall apply to bonds issued under the provisions of this Act but such bonds shall be sold upon terms of not less than par plus accrued interest. The commission may reject any or all bids received at the public sale and may thereafter sell the bonds at private sale on such terms and conditions as it deems most advantageous to its own interests, but not at a price below that of the best bid received at the advertised sale. The commission may enter into contracts and borrow money through the sale of bonds of the same character as those herein authorized, from the United States or any agency thereof, upon such conditions and terms as may be agreed to and the bonds shall be subject to all the provisions of this Act, except that any bonds issued hereunder to the United States or any agency thereof need not first be offered at public sale. The commission may also provide for the private sale of bonds issued under the provisions of this Act to the state treasurer of Iowa upon such terms and conditions as may be agreed upon, and in such event said bonds need not first be offered at public sale. Temporary or interim bonds, certificates, or receipts, of any denomination, and with or without coupons attached, signed by such official as the commission may direct, may be issued and delivered until the definitive bonds are executed and available for delivery.

Section 14. The proceeds from the sale of all bonds authorized and issued under the provisions of this Act shall be deposited by the commission in a fund designated as the construction fund of the particular interstate bridge or bridges for which such bonds were issued and sold, which fund shall not be a state fund and shall at all times be kept segregated and set apart from all other funds and in trust for the purposes herein set out. Such proceeds shall be paid out or disbursed solely for the acquisition, purchase, or construction of such interstate bridge or bridges and expenses incident thereto, the acquisition of the necessary lands and easements there-



for and the payment of interest on such bonds during the period of actual construction and for a period of six (6) months thereafter, only as the need therefor shall arise and the commission may agree with the purchaser of said bonds upon any conditions or limitations restricting the disbursement of such funds that may be deemed advisable, for the purpose of assuring the proper application of such funds. All moneys in such fund and not required to meet current construction costs of the interstate bridge or bridges for which such bonds were issued and sold, and all funds constituting surplus revenues which are not immediately needed for the particular object or purpose to which they must be applied or are pledged may be invested in obligations issued or guaranteed by the United States or by any person controlled by or supervised by and acting as an instrumentality of the United States pursuant to authority granted by the congress of the United States; provided, however, that the commission may provide in the proceedings authorizing the issuance of said bonds that the investment of such moneys shall be made only in particular bonds and obligations within the classifications eligible for such investment and such provisions shall thereupon be binding upon the commission and all officials having anything to do with such investment. Any surplus which may exist in said construction fund shall be applied to the retirement of bonds issued for the acquisition, purchase, or construction of any such interstate bridge by purchase or call and, in the event such bonds cannot be purchased at a price satisfactory to the commission and are not by their terms callable prior to maturity, such surplus shall be paid into the fund applicable to the payment of principal and interest of said bonds and shall be used for that purpose. The proceedings authorizing the issuance of bonds may provide limitations and conditions upon the time and manner of applying such surplus to the purchase and call of outstanding bonds and the terms upon which they shall be purchased or called and such limitations and conditions shall be followed and observed in the application and use of such surplus. All bonds so retired by purchase or call shall be immediately canceled.

Section 15. All tolls or other revenues received from the operation of any toll bridge acquired, purchased, or constructed with the proceeds of bonds issued and sold hereunder shall be deposited by the commission to the credit of a special trust fund to be designated as the toll revenue fund of the particular toll bridge or toll bridges producing such tolls or revenue, which fund shall be a trust fund and shall at all times be kept segregated and set apart from all other funds.

Section 16. From the money so deposited in each separate construction fund as hereinabove provided, at the direction of the commission there shall be transferred to the place or places of payment named in said bonds such sums as may be required to pay the interest as it becomes due on all bonds issued and outstanding for the construction of such particular toll bridge or toll bridges during the period of actual construction and during the period of six (6) months immediately thereafter. The commission shall thereafter transfer from each separate toll revenue fund to the place or places of payment named in the bonds for which said revenues have been pledged such sums as may be required to pay the interest on said bonds and redeem the principal thereof as such interest and principal become due. All funds so transferred for the payment of principal of or interest on bonds issued for any particular toll bridge or toll bridges shall be segregated and applied solely for the payment of said principal or interest. The proceedings authorizing the issuance of the bonds may provide for the setting up of a reserve fund or funds out of the tolls and other revenues not needed for the payment of principal and interest, as the same currently matures and for the preservation and continuance of such fund in a manner to be provided therein, and such proceedings may also require the immediate application of all surplus moneys in such toll revenue fund to the retirement of such bonds prior to maturity, by call or purchase, in such manner and upon such terms and the payment of such premiums as may be deemed advisable in the judgment of the commission. The moneys remaining in each separate toll revenue fund after providing the amount required for the payment of principal of and interest on bonds as hereinabove provided, shall be held and applied as provided in the proceedings authorizing the issuance of said bonds. In the event the proceedings authorizing the issuance of said bonds do not require surplus revenues to be held or applied in any particular manner, they shall be allocated and used for such other purposes incidental to the construction, operation, and maintenance of any toll bridge as the commission may determine and as permitted under sections seven (7) and twelve (12) of this Act.

Section 17. Warrants for payments to be made on account of such bonds shall be drawn by the commission on duly approved vouchers. Moneys required to meet the costs of purchase or construction and all expenses and costs incidental to the acquisition, purchase, or construction of any particular interstate bridge or to meet the costs of operating, maintaining, and repairing the same, shall be paid by the commission from the proper fund therefor upon duly approved vouchers. All interest received or earned on money deposited in each and every fund herein provided for shall be credited to and become a part of the particular fund upon which said interest accrues.

Section 18. The commission may provide in the proceedings authorizing the issuance of bonds or may otherwise agree with the purchasers of bonds regarding the deposit of all moneys constituting the construction fund and the toll revenue fund and provide for the deposit of such money at such times and with such depositories or paying agents and upon the furnishing of such security as may meet with the approval of the purchasers of such bonds.

Section 19. Notwithstanding any provision contained in this Act, the proceeds received from the sale of bonds and the tolls or other revenues received from the operation of any toll bridge may be used to defray any expenses incurred by the commission in connection with and incidental to the issuance and sale of bonds for the acquisition, purchase, or construction of any such toll bridge including expenses for the preparation of surveys and estimates, legal, fiscal and administrative expenses, and the making of such inspections and examinations as may be required by the purchasers of such bonds; provided, that the proceedings authorizing the issuance of such bonds may contain appropriate provisions governing the use and application of said bond proceeds and toll or other revenues for the purposes herein specified.

Section 20. While any bonds issued by the commission remain outstanding, the powers, duties or existence of the commission or of any other official or agency of the state shall not be diminished or impaired in any manner that will affect adversely the interests and rights of the holders of such bonds. The holder of any bond may by mandamus or other appropriate proceeding require and compel the performance of any of the duties imposed upon any state department, official, or employee or imposed upon the commission or its officers, agents, and employees in connection with the acquisition, purchase, construction, maintenance, operation, and insurance of any bridge and in connection with the collection, deposit, investment, application, and disbursement of all tolls and other revenues derived from the operation and use of any bridge and in connection with the deposit, investment, and disbursement of the proceeds received from the issuance of bonds; provided, that the enumeration of such rights and remedies herein shall not be deemed to exclude the exercise or prosecution of any other rights or remedies by the holders of such bonds.

Section 21. When any toll bridge authorized hereunder is being built by the commission it may carry or cause to be carried such an amount of insurance or indemnity bond or bonds as protection against loss or damage as it may deem proper. The commission is hereby further empowered to carry such an amount of insurance to cover any accident or destruction in part or in whole to any toll bridge. All moneys collected on any indemnity bond or insurance policy as the result of any damage or injury to any such toll bridge shall be used for the purpose of repairing or rebuilding of any such toll bridge as long as there are revenue bonds against any such structure outstanding and unredeemed. The commission is also empowered to carry insurance or indemnity bonds insuring against the loss of tolls or other revenues to be derived from any such toll bridge by reason of any interruption in the use of such toll bridge from any cause whatever, and the proceeds of such insurance or indemnity bonds shall be paid into the fund into which the tolls and other revenues of the bridge thus insured are required to be paid and shall be applied to the same purposes and in the same manner as other moneys in the said fund. Such insurance or indemnity bonds may be in an amount equal to the probable tolls and other revenues to be received from the operation of such toll bridge during any period of time that may be determined upon by the commission and fixed in its discretion, and be paid for out of the toll revenue fund as may be specified in said proceedings. The commission may provide in the proceedings authorizing the issuance of bonds for the carrying of insurance as authorized by this Act and the purchase and carrying of insurance as authorized by this Act shall thereupon be obligatory upon the commission and be paid for out of the toll revenue fund as may be specified in said proceedings.

Section 22. The commission is hereby empowered to fix the rates of toll and other charges for all interstate bridges acquired, purchased, or constructed under the terms of this Act. Toll charges so fixed may be changed from time to time as conditions may warrant. The commission in establishing toll charges shall give due consideration to the amount required annually to pay the principal of and interest on bonds payable from the revenues thereof. The tolls and charges shall be at all times fixed at rates sufficient to pay the bonds and interest as they mature, together with the creation and maintenance of bond reserve funds and other funds as established in the proceedings authorizing the issuance of the bonds, for any particular toll bridge. The amounts required to pay the principal of and interest on bonds shall constitute a charge and lien on all such tolls and other revenues and interest thereon and sinking funds created therefrom received from the use and operation of said toll bridge, and the commission is hereby authorized to pledge a sufficient amount of said tolls and revenues for the payment of bonds issued under the provisions of this Act and interest thereon and to create and maintain a reserve therefor. Such tolls and revenues, together with the interest earned thereon, shall constitute a trust fund for the security and payment of such bonds and shall not be used or pledged for any other purpose as long as such bonds or any of them are outstanding and unpaid.

Section 23. Whenever a proposed interstate bridge is to be acquired, purchased or constructed, any city, town, county, or other political subdivision located in relation to such facility so as to benefit directly or indirectly thereby, may, either jointly or separately, at the request of the commission advance or contribute money, rights-of-way, labor, materials, and other property toward the expense of acquiring, purchasing or constructing the bridge, and for preliminary surveys and the preparation of plans and estimates of cost therefor and other preliminary expenses. Any such city, town, county, or other political subdivision may, either jointly or separately, at the request of the commission advance or contribute money for the purpose of guaranteeing the payment of interest or principal on the bonds issued by the commission to finance the bridge. Appropriations for such purposes may be made from any funds available, including county road funds received from or credited by the state, or funds obtained by excess tax levies made pursuant to law or the issuance of general obligation bonds for this purpose. Money or property so advanced or contributed may be immediately transferred or delivered to the commission to be used for the purpose for which contribution was made. The commission may enter into an agreement with a city, town, county, or other political subdivision to repay any money or the value of a right-of-way, labor, materials or other property so advanced or contributed. The commission may make such repayment to a city, town, county, or other political subdivision and reimburse the state for any expenditures made by it in connection with the bridge out of tolls and other revenues for the use of the bridge.

Section 24. If the commission deems that any land, including improvements thereon, is no longer required for toll bridge purposes and that it is in the public interest, it may negotiate for the sale of such land to the state or to any city, town, county, or other political subdivision or municipal corporation of the state. The commission shall certify the agreement for the sale to the state executive council, with a description of the land and the terms of the sale and the state executive council may execute the deed and deliver it to the grantee.

Section 25. If the commission is of the opinion that any land, including improvements thereon, is no longer required for toll bridge purposes, it may be offered for sale upon publication of a notice once each week for two (2) consecutive weeks in a newspaper published and having a general circulation throughout the state of Iowa, specifying the time and place fixed for the receipt of bids.

Section 26. The commission may reject all such bids if the highest bid does not equal the reasonable fair market value of the real property, plus the value of the improvements thereon, computed on the basis of the reproduction value less depreciation. The commission may accept the highest and best bid, and certify the agreement for the sale to the state executive council, with a description of the land and the terms of the sale and the state executive council shall execute the deed and deliver it to the grantee.

Section 27. If the commission deems it consistent with the use and operation of any toll bridge, the commission may grant franchises to persons, firms, associations, private or municipal corporations, the United States government or any agency thereof, to use any portion of the property of any toll bridge, including approaches thereto, for the construction and maintenance of water pipes, flumes, gas pipes, telephone, telegraph and electric light and power lines and conduits, trams or railways, and any other such facilities in the manner of granting franchises on state highways.

Section 28. Any moneys received pursuant to the provisions of sections twenty-four (24) through twenty-seven (27) of this Act shall be deposited by the commission into the separate and proper trust fund established for the bridge.

Section 29. The commission shall have the right to impose and reimpose tolls for pedestrian or vehicular traffic over any interstate bridges under its control and jurisdiction for the purpose of paying the cost of reconstructing and improving existing bridges and their approaches, purchasing existing bridges, and constructing new bridges and approaches, provided that any such existing bridge or new bridge is located within ten miles of the bridge on which tolls are so imposed or reimposed, to pay interest on and create a sinking fund for the retirement of revenue bonds issued for the account of such projects and to pay any and all costs and expenses incurred by the commission in connection with and incidental to the issuance and sale of bonds and for the preparation of surveys and estimates and to establish the required interest reserves for and during the estimated construction period and for six (6) months thereafter.

Section 30. The bridges herein provided for may be incorporated into the primary road system as toll free bridges whenever the costs of the construction of the bridges and the approaches thereto and the reconstruction and improvement of existing bridges and approaches thereto, including all incidental costs, have been paid and when all revenue bonds and interest thereon issued and sold pursuant to this Act and payable from the tolls and revenues thereof shall have been fully paid and

redeemed or funds sufficient to pay said bonds and interest, including premium, if any, have been set aside and pledged for that purpose. However, tolls may again be imposed as provided in section twenty-nine (29) of this Act.

Section 31. The commission shall have the power and is hereby authorized by resolution to issue, sell, or pledge its revenue bonds in an amount sufficient to provide funds to pay all or any part of the costs of construction of a new bridge and approaches thereto and the reconstruction, improvement, and maintaining of an existing bridge and approaches thereto, including all costs of survey, acquisition of right-of-way, engineering, legal, fiscal and incidental expenses, to pay the interest due thereon during the period beginning with the date of issue of the bonds and ending at the expiration of six (6) months after the first imposition and collection of tolls from the users of said bridges, and all costs incidental to the issuance and sale of the bonds.

Except as may be otherwise specifically provided by statute, all of the other provisions of this Act shall govern the issuance and sale of revenue bonds issued under this section, the execution thereof, the disbursement of the proceeds of issuance thereof, the interest rate or rates thereon, their form, terms, conditions, covenants, negotiability, denominations, maturity date or dates, the creation of special funds or accounts safeguarding and providing for the payment of the principal thereof and interest thereon, and their manner of redemption and retirement.

Such bonds shall include a covenant that the payment of the principal thereof and the interest thereon are secured by a first and direct charge and lien on all of the tolls and other gross revenues received from the operation of said toll bridges and from any interest which may be earned from the deposit or investment of any such revenues. The tolls and charges shall be at all times fixed at rates sufficient to pay the bonds and interest as they mature, together with the creation and maintenance of bond reserve funds and other funds as established in the proceedings authorizing the issuance of the bonds.

Section 32. The commission is hereby authorized to operate and to assume the full control of said toll bridges and each portion thereof whether within or without the borders of the state of Iowa, with full power to impose and collect tolls from the users of such bridges for the purpose of providing revenues at least sufficient to pay the cost and incidental expenses of construction and acquisition of said bridges and approaches in both states in which located and for the payment of the principal of and interest on its revenue bonds as authorized by this Act.

Section 33. Under no circumstances shall any bonds issued under the terms of this Act be or become or be construed to constitute a debt of or charge against the state of Iowa within the purview of any constitutional or statutory limitation or provision. No taxes, appropriations or other funds of the state of Iowa may be pledged for or used to pay such bonds or the interest thereon, but any such bonds shall be payable solely and only as to both principal and interest from the tolls and revenues derived from the operation of any toll bridge or toll bridges acquired, purchased, or constructed under this Act, and the sole remedy for any breach or default of the terms of any such bonds or proceedings for their issuance shall be a proceeding either in law or in equity by suit, action or mandamus to enforce and compel performance of the duties required by this Act and the terms of the resolution under which such bonds are issued.

Section 34. The commission is authorized to enter into such agreement or agreements with other state highway commissions and the governmental agencies or subdivisions of the state of Iowa or other states and with federal bridge commissions as they shall find necessary or convenient to carry out the purposes of this Act, and is authorized to do any and all acts contained in such agreement or agreements that are necessary or convenient to carry out the purposes of this Act. Such agreements may include, but shall not be restricted to, the following provisions:

1. A provision that the commission shall assume and have complete responsibility for the operation of such bridges and approaches thereto, and with full power to impose and collect all toll charges from the users of such bridges and to disburse the revenue derived therefrom for the payment of principal and interest on any revenue bonds herein provided for and to carry out the purposes of this Act.

2. A provision that the commission shall provide for the issuance, sale, exchange or pledge, and payment of revenue bonds payable solely from the revenues derived from the imposition and collection of tolls upon such toll bridges.

3. A provision that the commission, after consultation with the other governmental agencies or subdivisions who are parties to such agreements, shall fix and revise the classifications and amounts of tolls to be charged and collected from the users of the toll bridges, with the further provision that such toll charges shall be

removed after all costs of planning, designing, and construction of such toll bridges and approaches thereto and all incidental costs shall have been paid, and all of said revenue bonds, and interest thereon, issued pursuant to this Act shall have been fully paid and redeemed or funds sufficient therefor have been set aside and pledged for that purpose.

4. A provision that all acts pertaining to the design and construction of such toll bridges may be done and performed by the commission and that any and all contracts for the construction of such toll bridges shall be awarded in the name of the commission.

5. A provision that the state of Iowa and adjoining state and all governmental agencies or subdivisions party to such agreement shall be reimbursed out of the proceeds of the sale of such bonds or out of tolls and revenues as herein allowed for any advances they may have made or expenses they may have incurred for any of the purposes for which said revenue bonds may be issued, after duly verified itemized statements of such advances and expenses have been approved by all parties to such agreement.

6. A provision that when all outstanding indebtedness or other obligations payable from the revenues of such bridges have been paid the adjoining state agrees to accept ownership of that portion of the bridge within such state and agrees to pay the cost of maintaining such portions of the bridge or proportionate share of the total cost of maintaining the bridge.

Section 35. Counties are hereby authorized to issue general obligation bonds for the purpose of contributing money to the commission to help finance the construction of toll bridges across navigable rivers constituting boundaries between the county and an adjoining state. Prior to the issuance of such bonds the board of supervisors shall call and hold an election in said county at which the proposition shall be submitted to the voters of the county in the following form:

Shall the county of \_\_\_\_\_ issue its bonds in the amount of \$ \_\_\_\_\_ for the purpose of \_\_\_\_\_?

Notice of such election, stating the date of the election, the hours of opening and closing the polls, the precincts and polling places therefor, and the question to be submitted shall be published once each week for three (3) consecutive weeks in at least one (1) newspaper published and having a general circulation in the county. The election shall be held on a day not less than five (5) nor more than twenty (20) days after the last publication of such notice. The proposition shall not be deemed carried or adopted unless the vote in favor thereof is equal to at least sixty (60) per cent of the total vote cast for and against said proposition at said election.

Section 36. The exercise of the powers granted by this Act will be in all respects for the benefit of the people of the state of Iowa, for the increase of their commerce and prosperity and for the improvement of their health and living conditions, and as the acquisition, construction, operation, and maintenance by the commission of the projects herein defined will constitute the performance of essential governmental functions, the commission shall not be required to pay any taxes or assessments upon such projects or upon any property acquired or used by the commission under the provisions of this Act or upon the income from such projects, and the bonds issued under the provisions of this Act, their transfer and the income therefrom including any profit made on the sale thereof shall at all times be free from taxation by or within the state of Iowa.

Section 37. Any person who uses any toll bridge and fails or refuses to pay the toll provided therefor shall be punished by a fine of not more than one hundred (100) dollars or by imprisonment for not more than thirty (30) days, or both.

Section 38. This Act shall be construed as providing an alternative and independent method for the acquisition, purchase, or construction of interstate bridges, for the issuance and sale or exchange of bonds in connection therewith and for refunding bonds pertinent thereto, and for the imposition, collection, and application of the proceeds of tolls and charges for the use of interstate bridges, without reference to any other statute, and shall not be construed as an amendment of or subject to the provisions of any other law, and no publication of any notice, and no other or further proceeding in respect to the issuance or sale or exchange of bonds under this Act shall be required except such as are prescribed by this Act, any provisions of other statutes of the state to the contrary notwithstanding.

Section 39. This Act, being necessary for the public safety and welfare, shall be liberally construed to effectuate the purposes thereof. If any provision of this Act or the application thereof to any person or circumstances is held to be invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provisions or application, and to this end the provisions of this Act are declared to be severable.

Approved June 22, 1967.

## GENERAL BRIDGE AUTHORITY

*Section 525. Construction and operation of bridges; consent of Congress; approval of plans; private highway toll bridges.*

(a) The consent of Congress is granted for the construction, maintenance, and operation of bridges and approaches thereto over the navigable waters of the United States, in accordance with the provisions of sections 525–533 of this title.

(b) The location and plans for such bridges shall be approved by the Chief of Engineers and the Secretary of the Army before construction is commenced, and, in approving the location and plans of any bridge, they may impose any specific conditions relating to the maintenance and operation of the structure which they may deem necessary in the interest of public navigation, and the conditions so imposed shall have the force of law.

(c) Notwithstanding the provisions of subsections (a) and (b) of this section, it shall be unlawful to construct or commence the construction of any privately owned highway toll bridge until the location and plans thereof shall also have been submitted to and approved by the highway department or departments of the State or States in which the bridge and its approaches are situated; and where such bridge shall be between two or more States and the highway departments thereof shall be unable to agree upon the location and plans therefor, or if they, or either of them, shall fail or refuse to act upon the location and plans submitted, such location and plans then shall be submitted to the Bureau of Public Roads and, if approved by the Bureau of Public Roads, approval by the highway departments shall not be required. (Aug. 2, 1946, ch. 753, title V, Section 502, 60 Stat. 847; June 30, 1949, ch. 288, title I, Section 103 (a), 63 Stat. 380; 1949 Reorg. Plan No. 7, Section 1, eff. Aug. 19, 1949, 14 F. R. 5288, 63 Stat. 1070.)

### CODIFICATION

The Department of War was designated the Department of the Army and the title of the Secretary of War was changed to Secretary of the Army by section 205 (a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205 (a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces", which in sections 3011–3013 continued the military Department of the Army under the administrative supervision of a Secretary of the Army.

### SHORT TITLE

Congress in enacting sections 525–533 of this title provided by section 501 of act Aug. 2, 1946 that they should be popularly known as the "General Bridge Act of 1946".

### TRANSFER OF FUNCTIONS

The functions of all other officers of the Department of Commerce and the functions of all agencies and employees of such Department were, with a few exceptions, transferred to the Secretary of Commerce, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorg. Plan No. 5, Sections 1, 2, eff. May 24, 1950, 15 F. R. 3174, 64 Stat. 1263, set out in note under Section 591 of Title 5, Executive Departments and Government Officers and Employees.

The Public Roads Administration, which was transferred to the Bureau of Public Roads within the General Services Administration, was transferred to the Department of Commerce by 1949 Reorg. Plan No. 7.

All functions of the Public Roads Administration were transferred to the Bureau of Public Roads within the General Services Administration by section 103 (a) of Act June 30, 1949. Section 103 (a) is set out as section 630b (a) of Title 5, Executive Departments and Government Officers and Employees.

### RESERVATION OF RIGHT TO ALTER, AMEND, OR REPEAL

Section 511 of act Aug. 2, 1946, provided: "The right to alter, amend, or repeal this title [sections 525–533 of this title] is hereby expressly reserved as to any and all bridges which may be built under authority hereof [said sections]."

*Section 526. Amount of tolls.*

If tolls shall be charged for the transit over any interstate bridge of engines, cars, street cars, wagons, carriages, vehicles, animals, foot passengers, or other passengers, such tolls shall be reasonable and just, and the Secretary of the Army may, at any time, and from time to time, prescribe the reasonable rates of toll for such transit over such bridge, and the rates so prescribed shall be the legal rates and shall be the rates demanded and received for such transit. (Aug. 2, 1946, ch. 753, title V, Section 503, 60 Stat. 847.)

*Section 527. Acquisition of interstate bridges by public agencies; amount of damages.*

After the completion of any interstate toll bridge constructed by an individual, firm, or corporation, as determined by the Secretary of the Army, either of the States in which the bridge is located, or any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property for public purposes by condemnation or expropriation. If at any time after the expiration of five years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual costs of acquiring such interests in real property; (3) actual financing and promotion costs, not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements. (Aug. 2, 1946, ch. 753, title V, Section 504, 60 Stat. 848.)

*Section 528. Statement of construction costs of privately owned interstate bridges; investigation of costs; conclusiveness of findings; review.*

Within ninety days after the completion of a privately owned interstate toll bridge, the owner shall file with the Secretary of the Army and with the highway departments of the States in which the bridge is located, a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of the Army may, and upon request of a highway department shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge. For the purpose of such investigation the said individual, firm, or corporation, its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of the Army as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 527 of this title subject only to review in a court of equity for fraud or gross mistake. (Aug. 2, 1946, ch. 753, title V, Section 505, 60 Stat. 848.)

*Section 529. Sinking funds; rate of tolls, cancellation of tolls.*

If tolls are charged for the use of an interstate bridge constructed or taken over or acquired by a State or States or by any municipality or other political subdivision or public agency thereof, under the provisions of sections 525–533 of this title, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed thirty years from the date of completing or acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested. (Aug. 2, 1946, ch. 753, title V, Section 506, 60 Stat. 848; May 25, 1948, ch. 336, 62 Stat. 267.)

### AMENDMENTS

1948—Act May 25, 1948, extended the amortization period from 20 to 30 years.

*Section 530. Bridges included and excluded.*

The provisions of sections 525-533 of this title shall apply only to bridges over navigable waters of the United States, the construction of which is approved after August 2, 1946, under the provisions of said sections; and the provisions of the first proviso of section 401 of this title, and the provisions of sections 491-498 of this title, shall not apply to such bridges. (Aug. 2, 1946, ch. 753, title V, Section 507, 60 Stat. 849.)

*Section 531. International bridges.*

Sections 525-533 of this title shall not be construed to authorize the construction of any bridge which will connect the United States, or any Territory or possession of the United States, with any foreign country. (Aug. 2, 1946, ch. 753, title V, Section 508, 60 Stat. 849.)

*Section 532. Eminent domain.*

There are conferred upon any individual, his heirs, legal representatives, or assigns, any firm or corporation, its successors or assigns, or any State, political subdivision, or municipality authorized in accordance with the provisions of sections 525-533 of this title to build a bridge between two or more States, all such rights and powers to enter upon lands and acquire, condemn, occupy, possess, and use real estate and other property in the respective States needed for the location, construction, operation, and maintenance of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefore to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State. (Aug. 2, 1946, ch. 753, title V, Section 509, 60 Stat. 849.)

*Section 533. Penalties.*

Any person who fails or refuses to comply with any lawful order of the Secretary of the Army or the Chief of Engineers issued under the provisions of sections 525-533 of this title, or who fails to comply with any specific condition imposed by the Chief of Engineers and the Secretary of the Army relating to the maintenance and operation of bridges, or who refuses to produce books, papers, or documents in obedience to a subpoena or other lawful requirement under said sections, or who otherwise violates any provisions of said sections, shall, upon conviction thereof, be punished by a fine of not to exceed \$5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment. (Aug. 2, 1946, ch. 753, title V, Section 510, 60 Stat. 849.)

*Section 534. Conveyance of right, title, and interest of United States in bridges transferred to States or political subdivisions; terms and conditions.*

The Secretary of the Army is authorized to transfer or convey to State authorities or political subdivisions thereof all right, title, and interest of the United States, in and to any and all bridges heretofore or hereafter constructed or acquired in connection with the improvement of canals, rivers and harbors, or works of flood control, together with the necessary lands, easements, or rights-of-way, upon such terms and conditions and with or without consideration, as may be determined to be in the best interest of the United States by the Chief of Engineers: Provided, That such transferred bridges shall be toll-free. (May 17, 1950, ch. 188, title I, Section 109, 64 Stat. 168.)

**CODIFICATION**

Section was not enacted as a part of the General Bridge Act of 1946 which comprises sections 525-533 of this title.

PUBLIC LAW 526-78TH CONGRESS

CHAPTER 633-2D SESSION

S. 1159

An Act Creating the City of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Illinois.

**Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,**

That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the City of Clinton Bridge Commission (hereinafter created, and hereinafter referred to as the "commission"), and its successors and assigns be, and are hereby, authorized to construct, maintain, and operate a bridge or bridges and approaches thereto, across the Mississippi River at or near the cities of Clinton, Iowa, and Fulton, Illinois, at a point or points suitable to the interest of navigation, subject to the conditions and limitations contained in this Act. For like purposes said commission, or its successors and assigns, are hereby authorized to acquire by purchase or condemnation, and to reconstruct, maintain, and operate all or any existing bridges for vehicular traffic crossing the Mississippi River at or near the city of Clinton, Iowa, and may acquire control of any or all such existing bridges by purchase of stock in any corporation owning any such bridges, or by a conveyance from such corporation and in any case the existing right or rights of the city of Clinton to acquire any such bridge or bridges shall be merged into and represented by acquisition thereof by the commission, and said commission shall be authorized to maintain and operate said bridge or bridges subject to the conditions and limitations contained in this Act: **Provided**, That the power granted in this Act with respect to the acquisition and purchase of any bridge shall not be exercised by said commission until all terms of the proposed acquisition and purchase of any such bridge shall been approved by the Highway Departments of the States of Iowa and Illinois.

Sec. 2. Jurisdiction of all condemnation proceedings under this Act for the acquisition of any existing bridge or bridges is hereby conferred upon the United States District Court for the Southern District of Iowa, and for such purpose the process of such court may be served outside of the State or district in which such court is located. Such proceedings shall follow as nearly as may be the law of the State of Iowa governing the proceedings for the condemnation of private property for public purposes in said State. Copies of any final judgment, decree, or order of such court in any such condemnation proceedings relating to land located outside said district shall be filed with the clerk of the court of the Federal district in which such land is located. In any such condemnation proceedings the commission shall be authorized to condemn all right, title, and interest in the bridge or bridges and approaches, and all right, title, and interest in real property necessary therefor.

Sec. 3. There is hereby conferred upon the commission and its successors and assigns the right and power to enter upon such lands and to acquire, condemn, occupy, possess, and use such privately owned real estate and other property in the State of Iowa and the State of Illinois as may be needed for the location and construction of any such bridge or bridges and for the operation and maintenance of any bridge and its approaches hereby authorized to be acquired or constructed, upon making just compensation therefor, to be ascertained and paid according to the laws of the State in which such real estate or other property is situated, and the proceedings therefor shall be the same as in the condemnation of private property for public purpose in said State, respectively. The commission, its successors and assigns, is further authorized to enter into agreements with the States of Illinois and Iowa, and any political subdivision thereof, for the acquisition, lease, or use of any lands or property owned by such State or political subdivision.

Sec. 4. The commission and its successors and assigns are hereby authorized to fix and charge tolls for transit over such bridge or bridges in accordance with the provisions of this Act, and as provided by the Act of Congress approved March 23, 1906.

Sec. 5. The commission and its successors and assigns are hereby authorized to provide for the payment of the cost of such bridge or bridges as may be acquired, reconstructed, or constructed, as provided herein, and approaches (including the approach highways, which, in the judgment of the commission, it is necessary or advisable to construct or cause to be constructed to provide suitable and adequate connection with existing improved highways) and the necessary land easements and appurtenances thereto, by an issue or issues of negotiable serial bonds of the commission, bearing interest, payable semi-annually, at the rate of not more than 6 per centum per annum, the principal and interest of which bonds shall be payable solely from the funds provided in accordance with this Act, and such payments may be further secured by mortgage of the bridge or bridges. All such bonds may be registerable as to principal alone or both principal and interest, shall be payable as to principal in twenty equal annual installments, shall be in such denominations, shall be executed in such manner, and shall be payable in such medium and at such place or places as the commission may determine, and the face amount thereof shall be so calculated as to produce, at the price of their sale, the cost of the bridge or bridges, acquired or constructed, and approaches and the land easements, and appurtenances used in connection therewith, when added to any other funds made available to the Commission for the use of said purposes. The commission may enter into an agreement with any bank or trust company in the United States as trustee having the power to make such agreement, setting forth the duties of the commission in respect to the acquisition, construction, maintenance, operation, repair, and insurance of the bridge or bridges, the conservation and application of all funds, the security for the payment of the bonds, the safeguarding of money on hand or on deposit, and the rights and remedies of said trustee and the holders of the bonds, restricting the individual right of action of the bondholders as is customary in trust agreements respecting bonds of corporations. Such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the trustee and the bondholders as may be reasonable and proper and not inconsistent with the law.



Said bonds may be sold at not less than par after public advertisement for thirty days for bids to be open publicly at the time and place stated in such advertisement and at the bid price which will yield the greatest return to the commission for the bonds to be sold. The price to be paid for the bridge or bridges acquired hereunder shall not exceed the reasonable value thereof at the time of the acquisition. The cost of the bridge to be constructed as provided herein, together with the approaches and approach highways, shall be deemed to include interest during construction of the bridge and for twelve months thereafter, and all engineering, legal, financing, architectural, traffic-surveying, condemnation, and other expenses incident to the bridge and the acquisition of the necessary property, including the cost of acquiring existing franchises and riparian rights relating to the bridge. If the proceeds of the bonds shall exceed the cost as finally determined, the excess shall be placed in the fund hereafter provided to pay the principal and interest of such bonds. Prior to the preparation of definite bonds the commission may, under like restrictions, issue temporary bonds or may, under like restrictions, issue temporary bonds or interim certificates, without coupons, of any denomination whatsoever, exchangeable for definite bonds when such bonds that have been executed are available for delivery.

Sec. 6. The rates and schedule of toll to be charged for the use of such bridge or bridges, in accordance with the Act of Congress approved March 23, 1906, shall be continuously adjusted and maintained so as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge or bridges and approaches under economical management, and to provide a fund sufficient to pay the principal and interest of such bonds as the same shall fall due and the redemption or repurchase price of all or any thereof redeemed or repurchased before maturity as herein provided. All tolls and other revenues from said bridge or bridges are hereby pledged to such uses and to the application thereof as hereinafter in this section required. After payment or provision for payment therefrom of all such cost of maintenance, repair, and operation, and the reservation of an amount of money estimated to be sufficient for the same purpose during an ensuing period of not more than six months, the remainder of tolls collected shall be placed in a fund, at inter-

vals to be determined by the commission prior to the issuance of the bonds, to pay the principal and interest of such bonds. An accurate record of the cost of the bridge or bridges and approaches; the expenditures for maintaining, repairing, and operating the same; and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested. The commission shall classify in a reasonable way all traffic over the bridge or bridges so that the tolls shall be so fixed and adjusted by it as to be uniform in the application thereof to all traffic falling within reasonable classes, regardless of the status or character of any person, firm, or corporation participating in such traffic, and shall prevent all use of such bridge or bridges for traffic except upon payment of tolls so fixed and adjusted. No toll shall be charged officials or employees of the Commission, nor shall toll be charged officials of the Government of the United States while in the discharge of duties incident to their office or employment, nor shall toll be charged members of the fire department or peace officers when engaged in the performance of their official duties.

Within a reasonable time after the construction of any bridge or bridges, or the acquisition of any bridge or bridges, the commission shall file with the Public Roads Administration of the Federal Works Agency a sworn itemized statement showing the cost of constructing or purchasing the bridge or bridges and their approaches, the cost of acquiring any interest in real or other property necessary therefor, and the amount of bonds, debentures, or other evidence of indebtedness issued in connection with the construction or acquisition of said bridge or bridges.

Sec. 7. Nothing herein contained shall require the commission or its successors to maintain or operate any presently existing bridge or bridges acquired hereunder, if and when all bonds issued for account of such bridge or bridges shall have been retired or provision for the payment of interest on and the retirement of such bonds from the revenues from any other bridge or bridges shall have been made at the time of issuance of such bonds. Any such presently existing bridge or bridges so acquired and any appurtenances and property thereto connected and belonging, may be sold or otherwise disposed of or may be abandoned or dismantled whenever in the judgment of the commission or its successors,

and subject to the approval of the Commissioner of Public Roads, Federal Works Agency, and the United States Secretary of War, it may be declared expedient so to do, and provisions with respect to and regulating any such sale, disposal, abandonment, or dismantlement may be included in proceedings for the issuance and sale of bonds for account of any such bridge or bridges. The commission and its successors may fix such rates of toll for the use of such bridge or bridges as it may deem proper, subject to the same conditions as are hereinabove required as to tolls for traffic over the bridge to be constructed, provided tolls shall be fixed and revised from time to time for traffic over all bridges so as not to adversely reflect upon the earnings of any bridge or bridges for account of which bonds may be outstanding. An accurate record of the cost of acquiring or constructing each such bridge; the expenditures for maintaining, repairing, and operating the same; and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Sec. 8. (a) After payment of the bonds and interest, or after a sinking fund sufficient for such payment shall have been provided and shall be held solely for that purpose, the commission shall deliver deeds or other suitable instruments of conveyance of the interest of the commission in and to that part of said bridge or bridges within Iowa to the State of Iowa or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereafter referred to as the "Iowa interests"), and that part of said bridge or bridges within Illinois to the State of Illinois or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereafter referred to as the "Illinois interests"), under the condition that the bridge or bridges shall thereafter be free of tolls and be properly maintained, operated, and repaired by the Iowa interests and the Illinois interests, as may be agreed upon; but if the Iowa or Illinois interests, as the case may be, fail to accept, or are not authorized to accept, their respective portions of said bridge or bridges, then the commission may deliver deeds, or other suitable instruments of conveyance of said portions, to any other interest which may accept and may be authorized to accept the same under the condition that the bridge or bridges shall thereafter be free of toll and be properly maintained, operated, and repaired by said interests to whom

said conveyances are delivered; but if either the Iowa interests, or the Illinois interests, or any other interest hereinabove mentioned shall not be authorized to accept or shall not accept the same under such conditions, then the bridge or bridges shall continue to be owned, maintained, operated and repaired by the commission as a free bridge, until such time as the Iowa interests, the Illinois interests, or any other interest hereinabove mentioned, shall be authorized to accept and shall accept such conveyance under such conditions. The rate or rates of toll for crossing any bridge now existing or hereafter constructed which abuts upon or enters into the corporate limits of the city of Clinton, Iowa, shall not be reduced below the rate or rates now in effect on existing bridges so long as any indebtedness of said commission for the account of any bridge or bridges shall be outstanding and unpaid. Before deeds or other suitable instruments of conveyance are offered to the Iowa interests and the Illinois interests for acceptance, the commission shall place the bridge or bridges in a state of repair which will meet the approval of the Highway Departments of the States of Iowa and Illinois, and if in the opinion of said highway departments said bridge or bridges will need repainting within two years after the date of conveyance of title, the commission shall turn over to the Iowa interests and the Illinois interests sufficient funds to pay the cost of repainting.

(b) Notwithstanding any restrictions or limitation imposed by the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916, or by the Federal Highway Act, or by an Act amendatory of or supplemental to either thereof, the Federal Works Administrator or any other Federal department or agency of the United States Government may extend Federal aid under such Acts for the construction of said bridge or bridges out of any moneys allocated to the State of Iowa with the consent of the State highway commission of said State, and out of moneys allocated to the State of Illinois with the consent of the department of highways of said State.

Sec. 9. For the purpose of carrying into effect the objects stated in this Act, there is hereby created the City of Clinton Bridge Commission,

and by that name, style, and title said body shall have perpetual succession; may contract and be contracted with, sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity; may make and have a common seal; may purchase or otherwise acquire and hold or dispose of real estate and other property; may accept and receive donations or gifts of money or property and apply same to the purposes of this Act; and shall have and possess all powers necessary, convenient, or proper for carrying into effect the objects stated in this Act.

The commission shall consist of Thomas B. Charlton, Joseph J. Burke, Fred Hansen, Mark Morris, and Milton Peaco, of Clinton, Iowa, and a representative from the highway department of each of the States of Iowa and Illinois, such representative from Iowa to be designated by the State Highway Commission of Iowa and such representative from Illinois to be designated by its Division of Highways, Department of Public Works and Buildings; such commission shall be a public body corporate and politic, but is hereby declared not be an agency of the Federal Government. Of the members of the commission hereinabove named, Thomas B. Charlton and Joseph J. Burke shall be for a term of one year each, Fred Hansen and Mark Morris shall be for a term of two years each, and Milton Peaco shall be for a term of three years, from the date of approval of this Act, and thereafter each member appointed on the commission shall be for a term of three years, except when such appointment is to fill an unexpired term. Each member of the commission shall qualify within thirty days after the approval of this Act by filing in the office of the Federal Works Administrator an oath that he will faithfully perform the duties imposed upon him by this Act, and each person appointed to fill a vacancy shall qualify in like manner within thirty days after his appointment. Any vacancy in said commission, other than of members to be designated by the highway departments of Iowa and Illinois, occurring by reason of failure to qualify as above provided, or by reason of death, expiration of term, or resignation, shall be filled by the Federal Works Administrator. Before the issuance of bonds as hereinabove provided, each member of the commission shall give such bond as may be fixed by the Commissioner of Public Roads, Federal Works Agency, conditioned upon the faithful performance of all duties required by this Act; the cost of such surety prior to and during the construc-

tion of the bridge shall be paid or reimbursed from the bond proceeds and thereafter such costs shall be deemed an operating expense. The commission shall elect a chairman and a vice chairman from its members, and may establish rules and regulations for the government of its own business. A majority of the members shall constitute a quorum for the transaction of business.

Sec. 10. The commission shall have no capital stock or shares of interest or participation, and all revenues and receipts thereof shall be applied to the purposes specified in this Act. The members of the commission shall be entitled to a per diem compensation for their services of \$10 for each day actually spent in the business of the commission, but the maximum compensation of the chairman in any year shall not exceed \$1,200, and of each other member shall not exceed \$600. The members of the commission shall also be entitled to receive traveling expense allowance of 10 cents a mile for each mile actually traveled on the business of the commission. The commission may employ a secretary, treasurer, engineers, attorneys, and other such experts, assistants, and employees as they may deem necessary, who shall be entitled to receive such reasonable compensation as the commission may determine. All salaries and expenses shall be paid solely from the funds provided under the authority of this Act. After all bonds and interest thereon shall have been paid and all other obligations of the commission paid or discharged, or provision for all such payment shall have been made as hereinbefore provided, and after the bridge or bridges shall have been conveyed to the Iowa interests, and the Illinois interests, as herein provided, or otherwise disposed of as provided herein, the commission shall be dissolved and shall cease to have further existence by an order of the Commissioner of Public Roads made upon his own initiative or upon application of the commission or any member or members thereof, but only after a public hearing in the city of Clinton, Iowa, notice of the time and place of which hearing and the purpose thereof shall have been published once, at least thirty days before the date thereof, in a newspaper published in the city of Clinton, Iowa. At the time of dissolution all moneys in the hands of or to the credit of the commission shall be divided into two equal parts, one of which shall be repaid to said Iowa interests and the other to said Illinois interests.

Sec. 11. Notwithstanding any of the provisions of this Act, the commission shall have full power and authority to negotiate and enter into a contract or contracts with the State Highway Commission of Iowa and the Department of Highways of Illinois, the city of Clinton, Clinton County, Iowa, or any county or municipality in the State of Illinois, whereby the commission may receive financial aid in the construction or maintenance of the bridge or bridges and approaches thereto, and said commission in its discretion may avail itself of all of the facilities of the State Highway Commission of the State of Iowa and the Department of Highways of the State of Illinois with regard to the construction of said proposed bridge or bridges, and the commission may make and enter into any contract or contracts which it deems expedient and proper with the State Highway Commission of Iowa and the Department of Highways of Illinois, whereby said highway departments or either of them may construct, operate, and maintain or participate with the commission in the construction, operation, and maintenance of said bridge or bridges and approaches to be constructed hereunder. It is hereby declared to be the purpose of Congress to facilitate the construction of a bridge and proper approaches across the Mississippi River at or near Clinton, Iowa, and Fulton, Illinois, and to authorize the commission to promote said object and purposes, with full power to contract with either the State Highway Commission of Iowa or the Department of Highways of Illinois, or with any agency or department of the Federal Government, or both, in relation to the purchase or condemnation, construction, operation, and maintenance of said bridges and approaches.

Sec. 12. Nothing herein contained shall be construed to authorize or permit the commission, or any member thereof, to create any obligation or incur any liability other than such obligations and liabilities as are dischargeable solely from funds contemplated to be provided by this Act. No obligation created or liability incurred pursuant to this Act shall be a personal obligation or liability of any member or members of the commission, but shall be chargeable solely to the funds herein provided, nor shall any indebtedness created pursuant to this Act be an indebtedness of the United States.

Sec. 13. The design and construction of any bridge which may be built pursuant to this Act shall be in accordance with the standard specifications for highway bridges adopted by the American Association of State Highway Officials, and the location and design of any such bridge shall be subject to approval by the highway departments of the States of Iowa and Illinois.

Sec. 14. Any bridge or bridges constructed, acquired, or reconstructed under authority of this Act shall be constructed, maintained, and operated in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906. By reason of the commission hereinbefore created being a public body the provisions of the Securities Act of 1933 and of the Trust Indenture Act of 1939, and any amendments to either or both of said Acts, shall not apply to bonds authorized to be issued by this Act.

Sec. 15. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved December 21, 1944



PUBLIC LAW 357-79TH CONGRESS

CHAPTER 203-2D SESSION

H. R. 4914

An Act To revive and reenact the Act entitled "An Act creating the City of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Illinois", approved December 21, 1944.

**Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,**

That the Act approved December 21, 1944, authorizing the City of Clinton Bridge Commission to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River, at or near the cities of Clinton, Iowa, and Fulton, Illinois, be, and is hereby, revived and re-enacted: **Provided**, That this Act shall be null and void unless the actual construction of the bridge herein referred to be commenced within two years and completed within four years from the date of approval hereof.

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved April 23, 1946.

PUBLIC LAW 220-81ST CONGRESS

CHAPTER 416-1ST SESSION

S. 1577

An Act To revive and reenact, as amended, the Act entitled, "An Act creating the City of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Illinois", approved December 21, 1944.

**Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,**

That the Act approved December 21, 1944, authorizing the City of Clinton Bridge Commission to acquire, construct, maintain, and operate a bridge or bridges, including approaches thereto, across the Mississippi River at or near the cities of Clinton, Iowa, and Fulton, Illinois, be, and the same is hereby, revived and reenacted: **Provided**, That this Act shall be null and void insofar as it authorizes the construction of a bridge or bridges unless the actual construction thereof be commenced within three years and completed within five years from the date of approval hereof: **And provided further**, That section 5 of said Act, approved December 21, 1944, is hereby amended to read as follows:

"Sec. 5. The commission and its successors and assigns are hereby authorized to provide for the payment of the cost of such bridge, or bridges as may be acquired, reconstructed, or constructed, as herein provided, and approaches (including the approach highways, which, in the judgment of the commission, it is necessary or advisable to construct or cause to be constructed to provide suitable and adequate connection with existing improved highways) and the necessary land easements and appurtenances thereto, by an issue or issues of negotiable serial bonds of the commission, bearing interest, payable semi-annually, at the rate of not

more than 6 per centum per annum, the principal and interest of which bonds shall be payable solely from the funds provided in accordance with this Act, and such payments may be further secured by mortgage of the bridge or bridges. All such bonds may be registered as to principal alone or both principal and interest, shall be payable as to principal within not to exceed twenty-five years from the date thereof, shall be in such denominations, shall be executed in such manner, and shall be payable in such medium and at such place or places as the commission may determine, and the face amount thereof shall be so calculated as to produce, at the price of their sale, the cost of the bridge or bridges, acquired or constructed, and approaches and the land easements, and appurtenances used in connection therewith, when added to any other funds made available to the commission for the use of said purposes. The commission may reserve the right to redeem any or all of said bonds before maturity in such manner and at such price or prices not exceeding 105 and accrued interest as may be fixed by the commission prior to the issuance of the bonds. The commission when it deems it advisable may issue refunding bonds to refinance any outstanding bonds at maturity or before maturity when called for redemption: **Provided,** That such refunding bonds shall mature within not to exceed twenty years from the date thereof and shall not exceed in principal amount the principal amount of outstanding bonds replaced by such refunding bonds. The commission may enter into an agreement with any bank or trust company in the United States as trustee having the power to make such agreement, setting forth the duties of the commission in respect to the acquisition, construction, maintenance, operation, repair, and insurance of the bridge or bridges, the conservation and application of all funds, the security for the payment of the bonds, the safeguarding of money on hand or on deposit, and the rights and remedies of said trustee and the holders of the bonds, restricting the individual right of action of the bondholders as is customary in trust agreements respecting bonds of corporations. Such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the trustee and the bondholders as may be reasonable and proper and not inconsistent with the law.

"Said bonds may be sold at not less than par after public advertisement for bids to be opened publicly at the time and place stated in such

advertisement and at the price bid which will yield the greatest return to the commission for the bonds to be sold. Such advertisement for bids shall be published at least once each week for four consecutive weeks in a newspaper or financial journal having recognized circulation among bidders for bonds of the type and character offered. The price to be paid for the bridge or bridges acquired hereunder shall not exceed the reasonable value thereof as determined by the commission at the time of acquisition. The cost of the bridge to be constructed as provided herein, together with the approaches and approach highways, shall be deemed to include interest during construction of the bridge and for twelve months thereafter, and all engineering, legal, financing, architectural, traffic-surveying, condemnation, and other expenses incident to the bridge and the acquisition of the necessary property, including the cost of acquiring existing franchises and riparian rights relating to the bridge. If the proceeds of the bonds shall exceed the cost as finally determined the excess shall be placed in the fund hereafter provided to pay the principal and interest of such bonds. Prior to the preparation of definitive bonds the commission may, under like restrictions, issue temporary bonds or may, under like restrictions, issue temporary bonds or interim certificates without coupons, of any denomination whatsoever, exchangeable for definitive bonds when such bonds that have been executed are available for delivery."

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved August 10, 1949.

PUBLIC LAW 70-83D CONGRESS

CHAPTER 129-1ST SESSION

H. R. 2761

An Act To revive and reenact the Act of December 21, 1944, authorizing the City of Clinton Bridge Commission to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River, at or near the cities of Clinton, Iowa, and Fulton, Illinois, as amended.

**Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,**

That the Act approved December 21, 1944, entitled "An Act creating the City of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Illinois", as amended, be, and is hereby, revived and reenacted: **Provided**, That this Act shall be null and void unless the actual construction of the bridge herein referred to be commenced within two years and completed within four years from the date of approval hereof.

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved June 18, 1953.

**PUBLIC LAW 85-757-85TH CONGRESS**

**H. R. 4142**

An Act To amend the Act creating the City of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Illinois, in order to make certain changes in the authority of such commission, and for other purposes.

**Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,**

That the first sentence of section 3 of the Act entitled "An Act creating the City of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Illinois", approved December 21, 1944 (58 Stat. 846), as revised, reenacted, and amended, is amended by striking out "in said State" and inserting in lieu thereof "by said State".

Sec. 2. Section 5 of such Act is amended (1) in the first sentence thereof by striking out "negotiable serial bonds" and inserting in lieu thereof "negotiable bonds", and (2) in the proviso at the end of the fourth sentence, by striking out "twenty years" and inserting in lieu thereof "twenty-five years".

Sec. 3. Such Act is further amended by renumbering section 15 as section 16 and by inserting immediately preceding such section a new section as follows:

"Sec. 15. The bridge or bridges purchased or constructed under the authority of this Act shall be deemed to be Federal instrumentalities for interstate commerce, the postal service, and military and other purposes authorized by the Government of the United States, and said bridge or

bridges and the income derived therefrom shall, on and after the effective date of this section, be exempt from all Federal, State, municipal, and local property and income taxation."

Sec. 4. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved August 25, 1958.

**PUBLIC LAW 87-441-87TH CONGRESS**

**H. R. 8921**

An Act To provide for the annual audit of bridge commissions and authorities created by Act of Congress, for the filling of vacancies in the membership thereof, and for other purposes.

**Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,**

That (a) each bridge commission and authority created by Act of Congress shall provide for an annual audit of its financial transactions by an independent public accountant of recognized standing in such manner as prescribed by the Governors of the States concerned and in accordance with generally accepted auditing standards. Each such commission and authority shall make available for such purposes all books, accounts, financial records, reports, files, and all other papers, documents, or property belonging to or in use by such commission or authority. The General Accounting Office is authorized and directed to make available its advice on any matter pertaining to an audit performed pursuant to this section.

(b) The commission or authority within four months following the close of the fiscal year for which the audit is made shall submit a copy of the audit report to the Governors of the States concerned and to the Secretary of Commerce. The report shall set forth the scope of the audit and shall include a statement of assets and liabilities, capital, and surplus or deficits; a statement of surplus or deficit analysis, a statement of income and expense; a statement of sources and application of funds; and such comments and information as may be deemed necessary to keep the Governors of the States concerned and the Secretary of Commerce informed of the operations and financial condition of the commission.

(c) The Governor of either State concerned or the Secretary of Commerce is authorized to provide for the conduct of further audits of



any bridge commission or authority created by Act of Congress if the audit report submitted under subsection (b) is not satisfactory to said Governor or to the Secretary of Commerce, respectively.

(d) The commission or authority shall bear all expenses of the annual audit of its financial transactions as required by this section. All expenses of any additional audit required under this section shall be paid by the official or agency requesting such additional audit.

Sec. 2. (a) Each person who is a member, on the date of enactment of this Act, of a bridge commission or authority created by Act of Congress shall continue in office until the expiration of his present term, except as provided under subsection (b) of this section.

(b) (1) Except as provided in paragraph (2) of this subsection, where provision is made in the Act creating a bridge commission or authority for membership thereon without limitation as to length of term of office, the Secretary of Commerce shall, on or before the expiration of ninety days after the date of this Act, reappoint not more than one-third of the persons who are members of such bridge commission or authority on the date of enactment of this Act as members of such bridge commission or authority for a term of two years from the date of reappointment, reappoint not more than one-third of the members of such bridge commission or authority for a term of four years, and reappoint the remaining members for a term of six years. Thereafter, the term of each member appointed to such commission or authority shall be six years, except when an appointment is made to fill an unexpired term or when an incumbent member whose term has expired holds over until his successor is appointed, and vacancies shall be filled as provided under subsection (c) of this section.

(2) Notwithstanding any other provision of law, the term of office of each person who is a member of the White County Bridge Commission, created by the Act approved April 12, 1941 (55 Stat. 140), on the date of enactment of this Act shall expire on the ninetieth day after such date of enactment. The Secretary of Commerce may thereupon appoint three persons as members of the commission, one for a term of two years,

one for a term of four years, and one for a term of six years. Each person appointed as a member of the commission thereafter shall be appointed for a term of six years, except that a person appointed to fill a vacancy shall serve only for the unexpired term of his predecessor. Each person appointed under this subsection shall give such bond as may be fixed by the Secretary of Commerce, conditioned upon the faithful performance of all duties required by this Act. The cost of such bonds shall be deemed an operating expense of the commission. The Secretary of Commerce shall designate the member of the commission who shall serve as chairman and the member who shall serve as vice chairman. Vacancies in the commission shall not affect its powers, and shall be filled in the same manner as the original appointments were made. The commission shall have power to establish rules and regulations for the government of its business.

(c) A vacancy in the membership of any bridge commission or authority to which this Act is applicable occurring by reason of expiration of term, failure to qualify as a member, death, removal from office, resignation, or otherwise, shall be filled by the Secretary of Commerce. Incumbent members whose terms have expired shall hold over in office until their successors are appointed and qualified.

(d) Each member appointed under this Act shall qualify within thirty days after appointment by filing with the Secretary of Commerce an oath that he will faithfully perform the duties imposed upon him by law.

(e) Each member appointed under this Act shall be removable for cause by the Secretary of Commerce.

(f) This section shall not be applicable to ex officio members or State highway department members of such bridge commissions or authorities.

Sec. 3. Each bridge commission and authority created by Act of Congress shall submit an annual report, covering its operations and fiscal transactions during the preceding fiscal year, its financial condition and a

statement of all receipts and expenditures during such period, to the Governors of the States concerned and to the Secretary of Commerce not later than four months following the close of the fiscal year for which the audit required under section 1 of this Act is made. The Secretary of Commerce shall review such annual reports and audit reports submitted under section 1 (b) of this Act and shall make recommendations to the Congress based upon such review, or take such other action as he may consider necessary, to effectuate the intent of the Congress as established by this Act or by the Act under which the individual bridge commission or authority was created.

Sec. 4. Authority is hereby granted to transfer all functions, powers, duties, responsibilities, authority, assets, liability, obligations, books, records, property, and equipment of any existing bridge commission or authority created by Act of Congress to the highway department or other agency of the State or States concerned, or to joint agencies established by interstate compact or agreement. Such transfer shall be carried out in a manner as may be prescribed or authorized by the laws of the State or States concerned. Upon such transfer, such bridge commission or authority shall cease to exist.

Sec. 5. (a) All provisions of Acts of Congress creating bridge commissions or authorities may be enforced or the violation thereof prevented by mandamus, injunction, or other appropriate remedy by the chief legal officer of either State concerned, in any court having competent jurisdiction of the subject matter and of the parties. The following provisions of law are hereby repealed:

Section 11 of the Act approved October 30, 1951 (65 Stat. 699);

Section 15 of the Act approved July 26, 1956 (70 Stat. 676);

Section 12 of the Act approved April 12, 1941 (55 Stat. 144).

(b) Members and employees of bridge commissions and authorities created by Act of Congress shall not be deemed to be Federal officers and employees.

(c) The members of such bridge commissions and authorities shall each be entitled to a per diem compensation for their services of \$20 for

each day actually spent in the business of the commission or authority, but the maximum per diem compensation of the chairman in any one year shall not exceed \$3,000, and of each other member in any one year shall not exceed \$2,000. The members of such commissions and authorities shall also be entitled to receive traveling expense allowance of 12 cents a mile for each mile actually traveled on the business of the commission or authority.

Payments under the provisions of this subsection shall be in lieu of any other payments for salary or expenses authorized for service as a member of any such commission or authority under the provisions of any other Federal law relating to such commission or authority, but nothing in this subsection shall affect any other Federal law with respect to the funds from which any such payments shall be made.

This subsection shall not apply to any bridge or causeway commission or authority created by an Act of Congress, the entire membership of which is ex officio.

Sec. 6. The provisions of this Act shall apply only to the following bridge commissions and authority:

- (1) Arkansas-Mississippi Bridge Commission, created by the Act approved May 17, 1939 (53 Stat. 747);
- (2) White County Bridge Commission, created by the Act approved April 12, 1941 (55 Stat. 140);
- (3) City of Clinton Bridge Commission, created by the Act approved December 21, 1944 (58 Stat. 846);
- (4) Sabine Lake Bridge and Causeway Authority, created by the Act approved October 30, 1951 (65 Stat. 695); and
- (5) Muscatine Bridge Commission, created by the Act approved July 26, 1956 (70 Stat. 669).

Sec. 7. If any provision of this Act, or the application of such provision to any person or circumstance, is held invalid, the remainder of the Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Approved April 27, 1962.

PUBLIC LAW 89-498-89TH CONGRESS

H. R. 3788

An Act To revive and reenact as amended the Act entitled "An Act creating the City of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Illinois," approved December 21, 1944.

**Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,**

That the Act approved December 21, 1944, authorizing the City of Clinton Bridge Commission to acquire, construct, maintain, and operate a bridge or bridges, including approaches thereto, across the Mississippi River at or near the cities of Clinton, Iowa, and Fulton, Illinois, as heretofore amended, be, and the same is hereby revived and reenacted: **Provided**, That this Act shall be null and void insofar as it authorizes the construction of a bridge or bridges unless actual construction thereof be commenced within three years and completed within five years from the date of approval of this Act.

Sec. 2. That section 5 of said Act, as heretofore amended, is further amended to read as follows:

"Sec. 5. The commission and its successors and assigns are hereby authorized to provide for the payment of the cost of such bridge, or bridges as may be acquired, reconstructed, or constructed, as herein provided, and approaches (including the approach highways, which, in the judgment of the commission, it is necessary or advisable to construct or cause to be constructed to provide suitable and adequate connections with existing improved highways) and the necessary land easements and appurtenances thereto, by an issue or issues of negotiable bonds of the commission, bearing interest, payable semiannually, at the rate of not more than 6 per centum per annum, the principal and interest of which bonds

shall be payable solely from the funds provided in accordance with this Act, and such payments may be further secured by mortgage of the bridge or bridges. All such bonds may be registrable as to principal alone or both principal and interest, shall be payable as to principal within not to exceed twenty-five years from the date thereof, shall be in such denominations, shall be executed in such manner, and shall be payable in such medium and at such place or places as the commission may determine, and the face amount thereof shall be so calculated as to produce, at the price of their sale, the cost of the bridge or bridges, acquired or constructed, and approaches and the land easements, and appurtenances used in connection therewith, when added to any other funds made available to the commission for the use of said purposes. The commission may reserve the right to redeem any or all of said bonds before maturity in such manner and at such price or prices not exceeding 105 and accrued interest as may be fixed by the commission prior to the issuance of the bonds. Subject to the provisions of any prior contracts or obligations the commission may disburse any available bridge revenues or other funds or borrow money and issue its negotiable interest-bearing notes in evidence thereof to defray the cost of designing, engineering, and planning a new bridge or bridges under this Act and acquire lands for location and approaches thereto, provided that all notes evidencing the funds so borrowed, if not previously paid from such bridge revenues, shall be repaid from the proceeds of the bonds of the commission when issued for account of such new bridge or bridges. In the event the commission issues notes as hereinbefore in this section provided and said notes have not been otherwise paid and a new bridge or bridges are not built, said notes shall be paid from revenues derived from the operation of any other bridge or bridges owned by the commission, subject to the obligation of payment of all outstanding indebtedness for which said revenues have been theretofore pledged. The commission when it deems it advisable may issue refunding bonds to refinance any outstanding bonds, and to pay any other indebtedness of the commission, at maturity or before maturity when called for redemption, and may include, as a part of an issue of bonds to provide for the cost of a bridge to be constructed under this Act, sufficient additional bonds bearing interest at a

rate or rates not exceeding 6 per centum per annum to refinance any outstanding bonds and notes at maturity or before maturity when called for redemption. The commission may enter into an agreement with any bank or trust company in the United States as trustee having the power to make such agreement, setting forth the duties of the commission in respect to the acquisition, construction, maintenance, operation, repair, and insurance of the bridge or bridges, the conservation and application of all funds, the security for the payment of the bonds, the safeguarding of money on hand or on deposit, and the rights and remedies of said trustee and the holders of the bonds, restricting the individual right of action of the bondholders as is customary in trust agreements respecting bonds of corporations. Such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the trustee and the bondholders as may be reasonable and proper and not inconsistent with the law.

"Said bonds may be sold at not less than par after public advertisement for bids to be opened publicly at the time and place stated in such advertisement and at the price bid which will yield the greatest return to the commission for the bonds to be sold. Such advertisement for bids shall be published at least once each week for at least two consecutive weeks in a newspaper or financial journal having recognized circulation among bidders for bonds of the type and character offered. The price to be paid for the bridge or bridges acquired hereunder shall not exceed the reasonable value thereof as determined by the commission at the time of acquisition. The cost of the bridge to be constructed as provided herein, together with the approaches and approach highways, shall be deemed to include interest during construction of the bridge and for twelve months thereafter, and all engineering, legal, financing, architectural, traffic surveying, condemnation, and other expenses incident to the bridge and the acquisition of the necessary property, including the cost of acquiring existing franchises and riparian rights relating to the bridge, as well as the cost of abandonment or dismantlement of any existing bridge to be replaced thereby. If the proceeds of the bonds shall exceed the cost as finally determined, the excess shall be placed in the fund hereafter provided to pay the principal and interest of such bonds.

Prior to the preparation of definitive bonds the commission may, under like restrictions, issue temporary bonds or may, under like restrictions, issue temporary bonds or interim certificates without coupons, of any denomination whatsoever, exchangeable for definitive bonds when such bonds that have been executed are available for delivery."

Sec. 3. Subsection (a) of section 8 of such Act of December 21, 1944, as amended, is amended by striking out "the bonds and interest," and inserting in lieu thereof: "the bonds, the notes issued under section 5 of this Act, and the interest,".

Sec. 4. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved July 8, 1966.



PUBLIC LAW 90-483 - 90TH CONGRESS

S. 3710

An Act Authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

**Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,**

TITLE I - RIVERS AND HARBORS<sup>(1)</sup>

Sec. 118. (a) Section 5 of the Act entitled "An Act creating the City of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, at or near Fulton, Illinois", approved December 21, 1944, as revised, amended, and reenacted, is hereby amended by inserting "(a)" immediately after "Sec. 5." and by adding at the end of such section the following new subsection:

"(b) In addition to the method payment provided in subsection (a) of this section, the commission and its successors and assigns are hereby authorized to provide for the payment of the cost of dismantling one bridge and of constructing as a replacement therefor a new bridge (including necessary approaches and approach highways) either entirely from a construction fund created in accordance with section 6 of this Act or from both such construction fund and from bonds issued and sold in accordance with subsection (a) of this section. The cost of any bridge constructed under this subsection (together with approaches and approach

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(1) Sec. 101 through Sec. 121 of Title I includes works of improvement of rivers and harbors and other waterways for navigation, flood control, and other purposes.

highways) shall include all costs and expenses included in the case of a bridge constructed under authority of subsection (a) of this section (including its approaches and approach highways)."

(b) The first sentence of section 6 of such Act of December 21, 1944, is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "and, if the Commission determines it advisable to do so, to provide a construction fund specifically to pay the cost of dismantling one bridge and constructing a new bridge to replace it as authorized by subsection (b) of section 5 of this Act."

(c) Section 6 of such Act of December 21, 1944, is further amended by adding immediately following the third sentence of such section the following new sentence: "If no bonds or notes are outstanding or if a sinking fund specifically for payment of all outstanding bonds and notes shall have been provided, the remainder of such tolls may, if the Commission determines it advisable to do so, be placed in a construction fund for use in accordance with subsection (b) of section 5 of this Act."

(d) The first sentence of subsection (a) of section 8 of such Act of December 21, 1944, is amended by inserting immediately after "solely for that purpose," the following: "and after any bridge constructed under authority of section 5 (b) of this Act shall have been paid for, or sufficient funds are available in the construction fund authorized by section 6 to pay for such bridge,".

(3) The amendments made by this section shall be inapplicable insofar as they authorize the construction of a bridge or bridges unless actual construction thereof is commenced within five years from the date of enactment of this section and such construction is completed by January 1, 1980.

Approved August 13, 1968.

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