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ENERGY AND COMMERCE

DEMOCRATIC WHIP

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October 3, 2007

Honorable Peter DeFazio
Chairman
Subcommittee on Highways and Transit
Committee on Transportation
B-370A Rayburn House Office Building
Washington, DC 20515

Dear Congressman DeFazio:

I respectfully request the Highways and Transit Subcommittee of the Transportation and Infrastructure Committee hold an investigative oversight hearing into the Department of Transportation's administration and management of the Transportation Technology Innovation and Demonstration (TTID) Program. The primary goal of this hearing would be to identify a legislative remedy for the very counterproductive monopoly that has been created by the federally sponsored TTID program, which clearly works against the public interest.

As you know, the TTID program dates back to TEA-21, when it was called the Intelligent Transportation Infrastructure Program (ITIP). From the very beginning, the program's stated goals were to address national, local, and commercial needs for data about traffic conditions through enhanced surveillance and data management in major metropolitan areas. The program was promoted in large part as a way to increase the availability of real-time information about traffic conditions to travelers in many of our nation's most traffic congested cities. A related goal was to support and enhance the commercial market for traveler information, which would also ultimately benefit the traveling public in the cities that signed up for the TTID program.

Unfortunately, the TTID program has in fact done just the opposite. Because of the monopoly that was created for Traffic.com, only that company has full access to the most useful data from the new sensor infrastructure that is subsidized through \$2 million in public funds in each city. Local agency partners who signed up for this program are discovering that they cannot utilize this data to provide travel times to local travelers without paying significant additional annual fees to Traffic.com.

While the TTID program was also sold as a way to meet "commercial data needs," it only meets the commercial needs of a single company – Traffic.com – at the expense of many other commercial companies that provide traveler information, including SmartRoute Systems/Westwood One, Clear Channel, and Metrocommute. To access this data that is subsidized by public dollars, these companies would need to negotiate licenses directly with Traffic.com, which can set its own price. Traffic.com competes head-to-head with these and other companies in the traveler information business, and clearly has a competitive advantage if it can access traffic data (subsidized by public funds) that other traveler information providers cannot.

In 2005, during the transportation reauthorization process, I and a number of our colleagues strongly supported Senator Orrin Hatch's efforts to add new language in SAFETEA-LU to open up this program to competition. However, the USDOT has pursued agreements

under the old Traffic.com monopoly provisions. All 11 TTID agreements signed since the passage of SAFETEA-LU were awarded Traffic.com on a sole-source basis. Only recently has the USDOT solicited bids for the first "open source" procurement. The RFP was blatantly wired for Traffic.com. Many firms refused to make a proposal, and at least two wrote to USDOT Inspector General Scovel to urge an investigation into why the USDOT was continuing to support Traffic.com's monopoly.

At this point, the bulk of the funds in the TTID program have been committed to Traffic.com. The monopoly that we tried to eliminate back in 2005 is stronger than ever, and threatens to constrain the availability of real-time traffic information in many of the big U.S. cities that need it the most.


I urge the Highways and Transit Subcommittee to conduct an oversight hearing into the USDOT's administration and management of the TTID program in order to find answers to the following questions:

1. Why did the USDOT ignore the new language in SAFETEA-LU designed to open up the program to competition?
2. Going forward, what can be done to remedy the data usage/sharing restrictions that the TTID program has put in place, with a goal of making comprehensive, real-time traveler information widely available from both the public-sector partners as well as a wide array of commercial providers?
3. What new legislation may be required?
4. How can such an open environment for using/sharing real-time traffic data be expanded to many more congested cities in the future?

As traffic congestion continues to increase nationwide, real-time information about traffic conditions will become an increasingly valuable tool to travelers. The TTID program as it currently exists is counterproductive and needs to be replaced with a new program that will actually increase the widespread availability of accurate and comprehensive information. I look forward to working with the Highways and Transit Subcommittee, Senator Hatch, and other interested legislators to put in place a traffic data acquisition and sharing initiative that truly serves the public interest.

Thank you for your prompt attention to this matter.

Sincerely,



ANTHONY D. WEINER
Member of Congress