June 26, 2017

The Honorable Elaine Chao
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Secretary Chao:

I am writing to reaffirm my support of current law prohibiting commercial activities on the public rights-of-way of the Interstate Highways System.

The Federal-Aid Highway Act of 1956 (P.L. 84-627) included a provision prohibiting commercial establishments on the rights-of-way of the Interstate Highways System and has been reaffirmed over time. The last vote was in 2012 during the Senate’s consideration of the Moving Ahead for Progress in the 21st Century Act (MAP-21; P.L. 112-141), when I joined my colleagues in voting overwhelmingly to reject an amendment seeking to reverse this policy. Businesses in Wyoming and across the country have made major investments close to the exit and entrance ramps of Interstate Highways. These include restaurants, truck stops, gas stations, convenience stores, and outdoor advertisers. These local businesses are often the largest taxpayer and economic backbone of communities located near an Interstate.

I understand actions and proposals to commercialize the right-of-way have recently re-surfaced. These include efforts to provide over-the-counter food service within the Interstate right-of-way, label as a “vending machine” a store within a rest area that allows for scanning purchases at check out, and efforts to place commercial changeable-message advertising on official traffic signs.

The public right-of-way was acquired with public funds for a public purpose. State or local government, as applicable, should not be allowed to permit or engage in business within the right-of-way, harming nearby private enterprises that create jobs, pay taxes, and have made billions of dollars of investments over the years based on existing laws, rules, and practice. For these reasons, I urge you to reject any changes to the established policy as it relates to commercial establishments on the rights-of-way of the Interstate Highways.

I appreciate your commitment to improving our nation’s transportation infrastructure and your efforts to reduce burdensome federal regulations.

Sincerely,

John Barrasso, M.D.
Chairman