

struction, and the like, to restrict the right-of-way widths so that the homes in question can be left in place. In fact, the additional highway construction costs involved may run to more than twice the cost of new replacement housing.

"This additional cost is a rather substantial item when considering the very real cost of substantial delay in getting the project under way and under traffic, for highway costs definitely increase each year that the project is delayed."

Over the past few years, it has been estimated that highway costs have risen annually about three percent as a result of inflation, however, reports by AASHO indicate that presently inflation may be raising costs five or six percent annually. A report by the city of Chicago indicated that last year highway construction costs in and around Chicago went up 12% as a result of inflation. If these more recent inflation pictures are projected onto the whole highway program, or at least that part of it in urban areas, the very real benefits from avoiding delay attributable to opposition to relocation programs and other factors are apparent.

STATE LAWS

Some states have passed laws to reduce the inequities of relocation programs in their states. We cite some provisions of these state laws which we believe deserve consideration for adoption as part of any new federal highway relocation program.

The State of Pennsylvania, in 1964, adopted a relocation law which provides a standard of "just compensation" for relocation. This standard consists of paying the fair market value for real property, plus certain other damages. Payments for these other damages is available to both owners and tenants. These damages include: (1) reasonable expenses for removal, transportation, and installation of machinery, equipment, or fixtures, not to exceed \$25,000 and in no case to exceed the market value; (2) business dislocation damages, up to \$5,000, where it is shown that the business cannot be relocated without substantial loss of patronage; (3) moving expenses for personal property not to exceed the market value of the personal property.

A Massachusetts law requires that any proposed acquisition involving displacement of occupants of more than five dwelling units or more than five business units may not proceed until the State Relocation Bureau has approved a relocation agency and a relocation plan for the project. The relocation plan must include evidence of the "availability of safe, decent, sanitary housing and commercial buildings within the means of the occupant to be displaced," it must also include a program for relocation of the occupants.

The State of New Jersey required the commissioner of the Department of Community Affairs to certify that displacing agencies have workable relocation assistance programs in effect before forcing anyone to move.

The State of Maryland has recently passed a law which allows owner occupants to be compensated for the difference, up to \$3,500, between the fair market value of their property and the average cost, within the same political subdivision, of a decent, safe, sanitary dwelling generally comparable in size to the dwelling being taken.

LOCAL ACTION

Principal focus for change in relocation policies must be on the states and the Federal government.

City activity in relocation is generally governed by the limitations of state statutes and court decisions controlling payments above fair market value. Cincinnati, Ohio is presently developing a program of relocation payments for city programs. Under the program, the city would be authorized to pay \$200 per family and \$3000 per business for moving expenses. Before this year it had not been thought that municipal relocation payments were permitted by state law, so the only relocation payments made were those reimbursed by the state or Federal government.

In the City of Detroit highway relocation payments are generally in accordance with the scale set in the Highway Act, however, a study of one relocation area indicated that relocated individuals and families were paying rents in their new quarters which averaged 16% above their rentals before relocation.

In Atlanta, Georgia relocation payments are also made according to the standard set in the Highway Act, with the state making the payments after they are requested by the local relocation agency. Atlanta goes beyond the state requirements for finding people housing, however, and helps the people to be relocated make contact with those who might provide them new quarters.