

The Antiplanner

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No One Forced Americans to Drive

A recent article in the *Atlantic* rewrites history by claiming that the law forces Americans to drive automobiles. “Our laws [essentially force driving](#) on all of us,” asserts University of Iowa law professor Gregory Shill, “by subsidizing it, by punishing people who don’t do it, by building a physical landscape that requires it, and by insulating reckless drivers from the consequences of their actions.”

Shill is wrong on almost every point he makes. The reality is that Americans (and people in other countries) took to the automobile like ducks to water. If anything, the laws he claims forced Americans to drive were written as a result of the fact that driving had become the dominant mode of transportation.

Shill’s Arguments

Shill claims that the United States built “a massive network of urban and interstate highways at public expense.” In fact, that network was built almost entirely out of user fees, including tolls, gas taxes, and vehicle registration fees. Local streets were generally built by developers and turned over to city or county governments, which used property taxes to maintain them. But major arterials were paid for directly by auto users.



The interstates and most state highways were paid for out of user fees, not general funds; if users didn’t want them, they wouldn’t have paid for them. Photo by ITB495.

He further argues that single-family zoning rules “that separate residential and commercial areas or require needlessly large yards” forced people to drive when they could have walked. The reality is that a majority of Americans lived in single-family homes long before zoning was invented, and all zoning did was affirm people’s housing preferences.

When cities wrote zoning codes, they generally zoned an overabundance of land for multifamily housing because developers and realtors thought they could make more money from multifamily than single-family. That proved not to be the case, so cities like Los Angeles and Portland have been historically zoned for much higher populations than they actually house.



Most American cities have had zoning for less than a century, yet a majority of American families have always lived in single-family homes. These homes were built by Chicago developer Samuel Gross decades before Chicago had zoning. He built more than 10,000 homes that he sold for \$100 to \$1,000 (about \$3,000 to \$30,000 in today’s money) depending on size and luxuries such as granite countertops indoor plumbing.

Shill also argues that the mortgage-interest deduction has promoted single-family housing that forces people to drive. Yet single-family homeownership rates are higher in Australia, Canada, and many other countries that don’t have mortgage-interest tax breaks than they are in

the United States. The average size of new homes built in Australia is also [bigger](#) than in the United States.

Shill borrows Donald Shoup's argument that minimum parking requirements forced developers to waste money on unnecessary parking. The reality is that developers build parking whether they are required to or not because they know that housing, retail, and commercial developments are almost impossible to sell or rent if there is no parking for residents, employees, and customers. Even if there were too much parking, it isn't clear how that would force people to drive.

Shill claims that speed limits are set too high because they are based on the speeds "that 85 percent of drivers will obey," which -- he suggests -- means that speeders can actually increase speed limits. That's a complete misunderstanding of how the 85-percent rule works. Every road has a safe design speed, and most drivers have a pretty good sense of what that speed is. The 85-percent rule is just one way of determining what that safe design speed is. Shill ignores the fact that other factors, such as school zones, frequently reduce speed limits below a road's design speed.



This is in Sienna Plantation, a Houston suburb that has no parking requirements, yet the developer put in thousands of parking spaces anyway.

Shill also claims that the law encourages driving through the ["negligence"](#) standard, which holds drivers liable for accidents only if they were negligent or reckless. He advocates a "strict liability" standard, which holds drivers liable even if they took all possible precautions against an accident. Thus, an accident where a pedestrian crossed a street mid-block, was drunk, or jogging in the middle of a freeway would be considered the pedestrian's fault under the negligence standard but the driver's fault under strict liability.

Shill admits that the strict liability standard is normally applied only to "ultrahazardous and uncommon" activities, but he thinks driving should be among those activities. While it is true that driving was once very hazardous, today it is safer than cycling, light rail, and many other forms of travel. Thus, the strict liability rule makes no sense. Even if it did, it would make little difference to insurance rates because pedestrian accidents are rare and in a vehicle-to-vehicle accident one insurance company or

another is going to end up paying anyway.

Americans Were Eager to Drive

Even if Shill's claims were valid, none of them truly force people to drive. Regardless of the validity of these specific arguments, any allegation that Americans have been forced to drive flies in the face of history. Auto opponents such as Shill and [James Howard Kunstler](#) not only imagine that driving was somehow forced on us, they fantasize that transportation before cars, such as intercity trains and streets, provided adequate and even an optimal amount of mobility for Americans.

"[Imagine it's 1881](#)," says Kunstler. "You leave the office on Wabash in the heart of vibrant Chicago, hop on a train in a handsome, dignified station full of well-behaved people, and in thirty minutes you're whisked away to a magnificent house surrounded by deep, cool porches, nestled in a lovely, tranquil, rural setting with not a single trace of industrial hubbub." He believes that was a "glorious way to live."

It probably was glorious for the 1 percent or so of Americans who could afford to live like that in 1881. Trains at that time were so expensive that people who went to work that way spent more on commuting than the average pay earned by American workers. Passenger rail fares declined steadily between 1881 and 1910, but even as late as 1907, the year before Ford introduced the Model T, Americans rode trains an average of less than 320 miles a year, which meant that some rode them a lot and most rode them not at all.



Soon after Henry Ford made automobiles affordable, a majority of American families bought one. Ford himself sold cars to about a third of American families, and General Motors and other manufacturers sold many more.

In fact, it is likely that a majority of Americans in 1881, and even 1910, had never traveled more than 50 miles from where they were born. Some of the more adventurous might travel further when they left their parents' homes but, once settled down, they rarely again traveled further than they could walk. Most Americans

lived in rural areas until the 1910s, and people living on farms might go for months at a time without seeing anyone except their immediate families.

Henry Ford's mass-produced Model T changed all that. Suddenly, mobility was affordable to almost everyone, and auto ownership rates grew from less than 5 percent of households in 1913 to more than 50 percent a dozen years later. No one forced people to buy and drive cars; they did it because mobility was valuable to them and cars made it affordable.

Social scientists in the 1920s found out how important automobiles were to people living in small towns and rural areas. "We'd rather do without clothes than give up the car," one person told them. "I'll go without food before I'll see us give up the car," said another. When the researchers asked another family why they bought a car when their house didn't even have indoor plumbing, the response was, "Why, you can't go to town in a bathtub!"



Farm women lived lonely lives before the automobile. This woman is taking her pet goat for a drive, or more likely to market, in her Model T Ford.

Similarly, most Americans have always lived in single-family homes, and most of those who didn't aspired to do so at some point in their lives. In the late nineteenth century, the factory system packed thousands of jobs into individual city blocks, and most of the workers couldn't afford streetcars and so had to live within walking distance of their jobs. As a result, large apartment buildings were constructed in major cities such as New York, Boston, and Philadelphia, and people were often **packed into those buildings** at the rate of one family per room, with up to eight families sharing a single bathroom.

The automobile freed those people, giving them access to low-cost land outside of the cities on which they could build their homes. Ford's moving assembly lines also moved the factories to the suburbs, as assembly lines required a lot more land than could be found in city centers. As city centers depopulated, the apartment buildings that were once so densely occupied emptied out. Some were torn down, others were reconstructed to attract

people who liked living in dense urban areas.

One of those people, Jane Jacobs, was upset to learn that New York City planned to take her five-story apartment building in Greenwich Village by eminent domain and replace it with a high-rise. She wrote a book, *The Death and Life of Great American Cities*, defending her neighborhood of, New York, and successfully stopped the urban renewal project. Unfortunately, too many people have read her defense of her lifestyle and concluded that this was the *only* suitable lifestyle for urban residents. The reality is that most people don't want to live that way, partly because single-family homes cost less to build per square foot and partly because single-family homes offer privacy, room for entertainment, and many other benefits.



Many people who oppose automobiles might change their minds if they realize that Costco and their favorite supermarket couldn't exist without them.

The Usefulness of the Motorcar

Shill cites a 1913 newspaper editorial saying, "We have gloated too much over the usefulness of the motor car" and "make no effective laws against its misuse." That may have been true in 1913, but today there are extensive auto safety laws, air pollution laws, and other laws regulating driving. Meanwhile, people such as Shill complain about cars while completely ignoring the huge benefits that have come from near-universal automobility. I've [listed these benefits before](#), but here is a summary:

1. Better housing, as noted above
2. Lower-cost consumer goods—you couldn't have supermarkets, Costcos, or WalMarts without cars
3. Increased worker productivity—People have access to more jobs, so they are more likely to find the job where they can be most productive
4. Civil rights—Blacks won the Montgomery bus boycott, and were able to escape oppression in general, when they owned their own cars
5. Women's rights—The rise of the two-car family enabled the modern women's rights movement
6. Recreation—In 1900, most workers worked six days a

week, 52 weeks a year. Thanks to the automobile (and moving assembly line) everyone has far more leisure time today.

7. Land use—Automobiles, trucks, and tractors allowed farmers to convert around 200 million acres of pastureland for draft animals into land growing crops and forests instead.

The Declining Costs of Driving

Driving is faster and safer than cycling or walking and faster and more convenient than scheduled transit services. But a major attraction is its low cost. Today, Americans spend an average of 25 cents a passenger mile driving (including highway subsidies) while the nation's transit industry spends well over \$1 a passenger mile on rail or bus transit.

Moreover, the cost of driving has declined relative to average incomes. The share of personal income Americans have spent buying, maintaining, operating, repairing, and insuring their cars has declined from 9.6 percent in 1950 to 6.8 percent in 2017 (based on tables 2.1 and 2.5.5 of the Bureau of Economic Analysis [National Income and Product Accounts](#)). Despite this declining cost, average auto travel has grown from about 2,400 vehicle miles per person in 1950 to nearly 9,000 in 2017. Of course, that's partly due to increased incomes, but the increased incomes are partly due to the increased productivity provided by the automobile.

Automobiles admittedly have some social costs, also known as negative externalities, including pollution and accidents. But these costs have been dramatically reduced in recent decades.

In 1970, the Environmental Protection Agency embarked on a two-pronged approach to cleaning up

automotive air pollution. First, it encouraged cities and states to attempt to get people to reduce their driving. That failed miserably and, considering that one way that cities tried to reduce driving was to allow congestion to increase, and cars pollute more in congested traffic, may have done more harm than good.

Second, the EPA ordered auto manufacturers to make increasingly cleaner cars. That has been an enormous success: motor vehicles today produce only about **4 percent as much pollution** per mile, including carbon monoxide, nitrogen oxides, sulfur dioxide, and hydrocarbons, as vehicles did in 1970, and total pollution has been reduced by 88.5 percent.

Fatalities due to auto travel have declined from nearly 450 people died per billion vehicle miles in 1920 to 49 in 1970 to **around 11** in 2010, where it has hovered ever since. Driving in urban areas is even safer, averaging just 8.5 per billion vehicle miles or (at 1.67 people per vehicle) about 5 per billion passenger miles. Again, this reduction has come not from getting people to stop driving but by making vehicles and roads safer. By comparison, light rail kills about **14 people** and commuter trains kill about 9 people for every **billion passenger miles** they carry.

Americans will never give up the mobility and independence that automobiles provide. Rather than make up stories about how Americans were forced to drive, those who wish to reduce energy consumption, greenhouse gas emissions, and pedestrian accidents should focus on making cars more energy efficient and roads safer.

The Antiplanner, Randal O'Toole, is a policy analyst specializing in land-use and transportation issues and the author of [The Best-Laid Plans: How Government Planning Undermines Your Quality of Life, Your Pocketbook, and Your Future.](#)