

HOUSE BILL REPORT

SHB 2941

As Passed House:
February 26, 2010

Title: An act relating to the use of express toll lanes in the Interstate 405 corridor.

Brief Description: Authorizing the use of express toll lanes in the Interstate 405 corridor.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Clibborn, O'Brien, Maxwell, Liias, Eddy, Springer, Hunter and Goodman).

Brief History:

Committee Activity:

Transportation: 1/25/10, 2/3/10 [DPS].

Floor Activity:

Passed House: 2/26/10, 56-40.

Brief Summary of Substitute Bill

- Authorizes the imposition of tolls for, and the construction and operation of, express toll lanes on Interstate 405 between the junction with Interstate 5 on the north end and Northeast 6th Street in Bellevue on the south end.
- Requires the state tolling authority and the Washington State Transportation Commission, to set toll rates for vehicles with less than three passengers, which can vary by time of day, level of congestion, vehicle occupancy, and other criteria.
- Requires the Washington State Department of Transportation to conduct a traffic and revenue analysis and develop a finance plan for a 40-mile continuous express toll lane system that includes State Route 167 and Interstate 405.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Clibborn, Chair; Liias, Vice Chair; Dickerson, Eddy, Finn, Flannigan, Moeller, Morris, Rolfes, Sells, Springer, Takko, Upthegrove, Williams and Wood.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Minority Report: Do not pass. Signed by 12 members: Representatives Roach, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Armstrong, Campbell, Driscoll, Ericksen, Herrera, Johnson, Klippert, Kristiansen, Nealey and Shea.

Staff: David Munnecke (786-7315).

Background:

High Occupancy Vehicle (HOV) lanes are highway lanes reserved part-time or full-time for vehicles carrying a minimum number of occupants. The object of these lanes is to facilitate the operation of transit vehicles and other multi-occupant vehicles, allowing them to avoid congestion and providing those vehicles with improved travel times. The Washington State Department of Transportation (WSDOT) has authority to designate HOV lanes on state highways, and there are currently over 200 miles of HOV lanes in operation in the central Puget Sound area. During certain periods, HOV lanes are operating below capacity while adjacent general purpose lanes are congested.

High Occupancy Toll (HOT) lanes are lanes that are open to carpools, vanpools, transit vehicles, and toll-paying vehicles. The goal for establishing these lanes is to provide a higher level of service for multi-occupant vehicles, while permitting other vehicles to use surplus capacity in the lane by paying a toll.

The WSDOT is currently operating a HOT lane pilot project along the nine miles of HOV lanes on State Route 167 (SR 167) within King County. Tolls on the project are established by the state tolling authority, the Washington State Transportation Commission (Transportation Commission), and vary in amount by time of day and the level of traffic congestion. During peak hours, the tolls must be adjusted to maintain HOT lane performance of at least 45 miles per hour for at least 90 percent of the time.

In 2009 the WSDOT was directed, in Engrossed Substitute Senate Bill 5352, to conduct a traffic revenue study for Interstate 405 (I-405) in King and Snohomish counties that included funding for improvements and HOT lanes. The WSDOT was also directed to develop a plan to operate two HOT lanes in each direction on I-405.

Summary of Substitute Bill:

The imposition of tolls is authorized for express toll lanes on I-405 between the junction with Interstate 5 on the north end and Northeast 6th Street in Bellevue on the south end. The state tolling authority, the Transportation Commission, is directed to set the schedule of toll rates for these express toll lanes, which can vary by time of day, level of congestion, vehicle occupancy, and other criteria determined by the tolling authority.

The WSDOT is authorized to construct and operate the express toll lanes and set the performance standards for the project. The WSDOT is required to adjust the toll rate to insure that vehicles with one or two passengers are allowed to enter the express toll lanes only to the extent that average speeds in the lanes remain above 45 miles per hour 90 percent of the time during peak hours.

The WSDOT is required to conduct a traffic and revenue analysis of a 40-mile continuous express toll lane system that includes SR 167 and I-405. The WSDOT is directed to use the information from this analysis to develop a financing plan to fund improvements in the corridor, and is required to present both the traffic and revenue analysis and the finance plan to the Governor and the Legislature by January 2011.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The expansion of the I-405 corridor was originally supposed to be funded by both gas tax and Regional Transportation Investment District (RTID) funding. With the failure of RTID, another source of funding is necessary, and managed lanes along the corridor can provide this funding. Managed lanes can help pay for the I-405/SR 167 interchange so long as the credit of the state is used to back the bonds.

This bill would allow for more people and goods to be moved along I-405. It would also provide information that can be used to determine if the expansion of the managed lanes should be authorized, and potentially more money for financing the expansion of the corridor. The performance standard on the corridor requires that the managed lanes operate at 45 mph or more 90 percent of the time during peak hours, which allows for the maximum vehicle throughput.

High occupancy vehicle lanes that allow two person carpools are failing in many locations, so some areas are starting to increase the number of people that qualify to use the lanes. Miami has instituted dual three person or more high occupancy toll lanes, as has Georgia.

Toll lanes are a more efficient means of transportation in terms of both time spent and fuel used. General purpose lanes are more efficient in the SR 167 corridor because the cars that use the high-occupancy toll (HOT) lanes make room for more cars in the general purpose lanes, and this same process would improve traffic flow in the I-405 corridor.

(Opposed) There is a plan in place for the I-405 corridor that was agreed to by the WSDOT and the communities along the corridor. House Bill 2941 makes changes to this plan, and there needs to be an environmental impact statement to determine the effect of these changes. Without a comparison between the old plan and the new plan, the Legislature should not approve the new plan. Besides, there is already a way to manage the congestion in the I-405 corridor - by using the ramp meters that are installed at every interchange.

The SR 167 HOT lanes do not provide enough funds to cover the cost of operating them. How high would the misery index have to go before you get people to switch over to the Lexus lanes and provide the needed revenue? Also, people will be paying to drive in lanes that they were promised when the gas tax was increased.

The transportation system needs to work for everyone, not just the people who are willing to pay extra to use it. The Eastside Corridor report does not properly analyze the cost and impact of simply adding general purpose lanes. A related concern is how the toll revenue will be used, since it does not have to be deposited into the Motor Vehicle Fund where it could only be spent for 18th Amendment purposes.

Action on this bill should be postponed until the next legislative session, since there is not time to properly analyze it in a short session.

Persons Testifying: (In support) Representative Clibborn, prime sponsor; David Hill, City of Algonia; Randy Corman, City of Renton; and Craig Stone, Washington State Department of Transportation.

(Opposed) Jim Horn; Bruce Nurse, Kemper Development Company; Dick Paylore, Eastside Transportation Association; and Bill Eager, TDA Incorporated and Kemper Development Company.

Persons Signed In To Testify But Not Testifying: None.