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## Transportation Committee

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### HB 1382

**Brief Description:** Concerning the use of express toll lanes in the eastside corridor.

**Sponsors:** Representatives Clibborn, Maxwell, Liias, Eddy, Hunter and Springer; by request of Department of Transportation.

#### Brief Summary of 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, the Washington State Transportation Commission, to set toll rates for vehicles, which can vary by time of day, level of congestion, and other criteria.
- Requires the Washington State Department of Transportation to conduct a traffic and revenue analysis, develop a corridor-wide project management plan, and develop a finance plan for a 40-mile continuous express toll lane system that includes State Route 167 and Interstate 405.

**Hearing Date:** 2/2/11

**Staff:** Wendy Malkin (786-7114).

#### **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

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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 (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 during peak hours.

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. The WSDOT delivered the Eastside Corridor Tolling Study to the Legislature in January 2010. After release of the study, the WSDOT decided to convene an Expert Review Panel to review the eastside corridor express toll lanes study work. The Expert Review Panel final report was distributed in December 2010.

#### **Summary of 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. In addition, I-405 is designated as an eligible toll facility. An express toll lane means an HOV lane in which the WSDOT charges tolls to regulate use of the lane to maintain travel speed and reliability. The Commission is directed to set the schedule of toll rates for the express toll lanes, which can vary by time of day, level of congestion, and other criteria determined by the Commission. Toll charges may not be assessed on transit buses and vanpools. Toll revenue can be used for debt services, planning, administration, construction, maintenance, repairing, rebuilding, operation, enforcement, and the expansion of express toll lanes in the eastside corridor.

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 automatically adjust the toll rate, using dynamic tolling, within the schedule established by the Commission to ensure that average vehicle speeds in the lanes remain above 45 miles per hour 90 percent of the time during peak hours. The Commission must periodically review the toll rates against the traffic performance of all lanes to determine if the toll rates are effectively maintaining travel time, speed, and reliability. The WSDOT is required to annually report to the Commission and the Legislature on the impact of the express toll lanes project on certain performance measures.

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. In addition, the WSDOT must develop a corridor-wide project management plan for the eastside corridor. The WSDOT is directed to use the information from the analysis and the management plan to develop a finance plan to fund improvements in the corridor. The WSDOT must consult with certain elected officials and representatives from certain transit agencies while developing the performance standards, the traffic and revenue analysis, and the finance plan.

**Appropriation:** None.

**Fiscal Note:** Available.

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