
HOUSE BILL 2179

State of Washington

65th Legislature

2017 Regular Session

By Representative Clibborn

1 AN ACT Relating to extending the duration of the state route
2 number 167 high occupancy toll lane pilot project; amending RCW
3 47.56.403; providing an effective date; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 47.56.403 and 2015 1st sp.s. c 10 s 705 are each
6 amended to read as follows:

7 (1) The department may provide for the establishment,
8 construction, and operation of a pilot project of high occupancy toll
9 lanes on state route number 167 high occupancy vehicle lanes within
10 King county. The department may issue, buy, and redeem bonds, and
11 deposit and expend them; secure and remit financial and other
12 assistance in the construction of high occupancy toll lanes, carry
13 insurance, and handle any other matters pertaining to the high
14 occupancy toll lane pilot project.

15 (2) Tolls for high occupancy toll lanes will be established as
16 follows:

17 (a) The schedule of toll charges for high occupancy toll lanes
18 must be established by the transportation commission and collected in
19 a manner determined by the commission.

20 (b) Toll charges shall not be assessed on transit buses and
21 vanpool vehicles owned or operated by any public agency.

1 (c) The department shall establish performance standards for the
2 state route number 167 high occupancy toll lane pilot project. The
3 department must automatically adjust the toll charge, using dynamic
4 tolling, to ensure that toll-paying single-occupant vehicle users are
5 only permitted to enter the lane to the extent that average vehicle
6 speeds in the lane remain above forty-five miles per hour at least
7 ninety percent of the time during peak hours. The toll charge may
8 vary in amount by time of day, level of traffic congestion within the
9 highway facility, vehicle occupancy, or other criteria, as the
10 commission may deem appropriate. The commission may also vary toll
11 charges for single-occupant inherently low-emission vehicles such as
12 those powered by electric batteries, natural gas, propane, or other
13 clean burning fuels.

14 (d) The commission shall periodically review the toll charges to
15 determine if the toll charges are effectively maintaining travel
16 time, speed, and reliability on the highway facilities.

17 (3) The department shall monitor the state route number 167 high
18 occupancy toll lane pilot project and shall annually report to the
19 transportation commission and the legislature on operations and
20 findings. At a minimum, the department shall provide facility use
21 data and review the impacts on:

22 (a) Freeway efficiency and safety;

23 (b) Effectiveness for transit;

24 (c) Person and vehicle movements by mode;

25 (d) Ability to finance improvements and transportation services
26 through tolls; and

27 (e) The impacts on all highway users. The department shall
28 analyze aggregate use data and conduct, as needed, separate surveys
29 to assess usage of the facility in relation to geographic,
30 socioeconomic, and demographic information within the corridor in
31 order to ascertain actual and perceived questions of equitable use of
32 the facility.

33 (4) The department shall modify the pilot project to address
34 identified safety issues and mitigate negative impacts to high
35 occupancy vehicle lane users.

36 ~~(5) ((Authorization to impose high occupancy vehicle tolls for
37 the state route 167 high occupancy toll pilot project expires if
38 either of the following two conditions apply:~~

1 ~~(a) If no contracts have been let by the department to begin~~
2 ~~construction of the toll facilities associated with this pilot~~
3 ~~project within four years of July 24, 2005; or~~

4 ~~(b) If high occupancy vehicle tolls are being collected on June~~
5 ~~30, 2017.~~

6 ~~(6))~~) The department of transportation shall adopt rules that
7 allow automatic vehicle identification transponders used for
8 electronic toll collection to be compatible with other electronic
9 payment devices or transponders from the Washington state ferry
10 system, other public transportation systems, or other toll collection
11 systems to the extent that technology permits.

12 ~~((7))~~) (6) The conversion of a single existing high occupancy
13 vehicle lane to a high occupancy toll lane as proposed for SR-167
14 must be taken as the exception for this pilot project.

15 ~~((8))~~) (7) A violation of the lane restrictions applicable to
16 the high occupancy toll lanes established under this section is a
17 traffic infraction.

18 ~~((9) Procurement activity associated with this pilot project~~
19 ~~shall be open and competitive in accordance with chapter 39.29 RCW.))~~

20 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
21 preservation of the public peace, health, or safety, or support of
22 the state government and its existing public institutions, and takes
23 effect July 1, 2017.

--- END ---