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**SENATE BILL 6604**

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**State of Washington                      58th Legislature                      2004 Regular Session**

**By** Senators Kastama, Swecker, Poulsen, Shin and B. Sheldon

Read first time 01/27/2004.      Referred to Committee on Highways & Transportation.

1            AN ACT Relating to value pricing for limited access highway lanes;  
2 and adding new sections to chapter 47.56 RCW.

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

4            NEW SECTION.    **Sec. 1.** The legislature recognizes the need to  
5 provide enhanced mobility within existing transportation corridors.  
6 For highways, this can be achieved with new and innovative programs  
7 that dynamically manage highway capacity through variable pricing. The  
8 legislature intends to create a program allowing construction of new  
9 highway toll lanes, or conversion of existing high-occupancy vehicle  
10 lanes when the adjacent lane will also be operated as a highway toll  
11 lane. Any revenues net of facility operations and maintenance derived  
12 from toll charges should be reinvested within the same corridor to  
13 increase transit and carpool service.

14            NEW SECTION.    **Sec. 2.** "High-occupancy toll lanes" means one or  
15 more lanes of a highway that charge tolls as a means of regulating  
16 access to, or the use of the facility, to maintain travel speed and  
17 reliability. Supporting facilities include, but are not limited to,  
18 approaches, enforcement areas, improvements, buildings, and equipment.

1        NEW SECTION.    **Sec. 3.** The department may provide for the  
2 establishment, construction, and operation of new high-occupancy toll  
3 lanes. The department has the same powers related to high-occupancy  
4 toll lane facilities as it has for other transportation facilities  
5 under chapters 47.01 and 47.28 RCW.

6        The department may convert existing high-occupancy vehicle lanes  
7 into toll lanes only when an adjacent lane will also be operated as a  
8 high-occupancy toll lane.

9        NEW SECTION.    **Sec. 4.** The department shall establish a desirable  
10 miles-per-hour operating standard for all lanes of the highway  
11 facility. In no event may the operating speed for transit buses,  
12 carpools, or single-occupant vehicles in a high-occupancy toll lane be  
13 permitted to drop below forty-five miles per hour during less than  
14 ninety percent of peak period. The toll charge for single-occupant  
15 vehicle users of high-occupancy toll lanes must vary by level of  
16 congestion within the highway facility to ensure that the miles per  
17 hour operating standard in any high-occupancy vehicle lane, or in any  
18 high-occupancy vehicle lane converted to high-occupancy toll lane  
19 operations, is not degraded.

20        Tolls for high-occupancy toll lanes must be automatically adjusted  
21 dynamically to ensure that this standard is met. The toll charge may  
22 vary in amount by time of day, level of traffic congestion within the  
23 highway facility, vehicle occupancy, or other criteria as deemed  
24 appropriate by the department.

25        NEW SECTION.    **Sec. 5.** The department shall report annually to the  
26 transportation commission and the legislature on the policies,  
27 operations, and effectiveness of high-occupancy toll lanes. The report  
28 must analyze and address the impacts on freeway efficiency,  
29 effectiveness for transit, ability to finance transportation services  
30 or improvements through tolls, and the impacts on all highway users.

31        NEW SECTION.    **Sec. 6.** Revenues generated from toll charges on  
32 high-occupancy toll lanes may be used only for transportation services  
33 within, or directly connecting to, that transportation corridor that  
34 maximizes movement of people. All revenues derived from toll charges

1 must be deposited into a special account within the multimodal  
2 transportation fund and used only for purposes authorized in this  
3 section.

4 NEW SECTION. **Sec. 7.** Sections 1 through 6 of this act are each  
5 added to chapter 47.56 RCW.

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