

SHB 1299 - H AMD 367

By Representative Harmsworth

NOT ADOPTED 04/09/2015

1 On page 35, line 24, after "available" insert "first to make up
2 any difference between expected revenue and actual revenue to the
3 extent that such difference is attributable to the limitations imposed
4 in section 709 of this act. Any additional savings must be made
5 available"

6

7 On page 75, after line 12, insert the following:

8 "Sec. 709. RCW 47.56.880 and 2011 c 369 s 3 are each amended to
9 read as follows:

10 (1) The imposition of tolls for express toll lanes on Interstate
11 405 between the junctions with Interstate 5 on the north end and NE
12 6th Street in the city of Bellevue on the south end is authorized,
13 Interstate 405 is designated an eligible toll facility, and toll
14 revenue generated in the corridor must only be expended as allowed
15 under RCW 47.56.820.

16 (2) Tolls for the express toll lanes must be set as follows:

17 (a) The schedule of toll rates must be set by the tolling
18 authority pursuant to RCW 47.56.850. Toll rates may vary in amount
19 by time of day, level of traffic congestion within the highway
20 facility, or other criteria, as the tolling authority deems
21 appropriate.

22 (b) In those locations with two express toll lanes in each
23 direction, the toll rate must be the same in both lanes.

24 (c) Toll charges may not be assessed on transit buses and
25 vanpools.

26 (d) The department shall establish performance standards for
27 travel time, speed, and reliability for the express toll lanes

1 project. The department must automatically adjust the toll rate
2 within the schedule established by the tolling authority, using
3 dynamic tolling, to ensure that average vehicle speeds in the lanes
4 remain above forty-five miles per hour at least ninety percent of
5 the time during peak hours.

6 (e) The tolling authority shall periodically review the toll
7 rates against traffic performance of all lanes to determine if the
8 toll rates are effectively maintaining travel time, speed, and
9 reliability on the highway facilities.

10 (3) The department may construct and operate express toll lanes
11 on Interstate 405 between the city of Bellevue on the south end and
12 Interstate 5 on the north end. Operation of the express toll lanes
13 may not commence until the department has completed capacity
14 improvements necessary to provide a two-lane system from NE 6th
15 Street in the city of Bellevue to state route number 522 and the
16 conversion of the existing high occupancy vehicle lane to an express
17 toll lane between state route number 522 and the city of Lynnwood.
18 Construction of the capacity improvements described in this
19 subsection, including items that enable implementation of express
20 toll lanes such as conduit and other underground features, must
21 begin as soon as practicable. However, any contract term regarding
22 tolling equipment, such as gantries, barriers, or cameras, for
23 Interstate 405 may not take effect unless specific appropriation
24 authority is provided in 2012 stating that funding is provided
25 solely for tolling equipment on Interstate 405. The department shall
26 work with local jurisdictions to minimize and monitor impacts to
27 local streets and, after consultation with local jurisdictions,
28 recommend mitigation measures to the legislature in those locations
29 where it is appropriate.

30 (4) During the 2015-2017 fiscal biennium, to provide better
31 customer service, including avoiding confusion for customers and
32 providing consistency across the transportation system, the
33 department must meet the requirements of this subsection.

34

1 (a) During the first one hundred eighty days of operation of any
2 segment of the Interstate 405 express toll lanes, the department
3 must offer travel in the Interstate 405 express toll lanes free of
4 charge at all times for vehicles carrying two or more people. After
5 this period, the department may require three or more people in a
6 vehicle in order to qualify for toll-free travel in a segment of the
7 express toll lanes if necessary to comply with federal requirements.
8 In determining whether toll-free access to the express toll lanes
9 must be limited to vehicles carrying three or more people, the
10 department must analyze each segment of the Interstate 405 express
11 toll lane separately. For the purposes of this section, the portion
12 of Interstate 405 on which there will be two express toll lanes
13 running in each direction shall be considered one segment, and the
14 portion of Interstate 405 on which there will be one express toll
15 lane running in each direction shall be considered another segment.

16 (b) During the evening hours after peak traffic demand until 5
17 a.m.: (i) The department may not assess toll charges for travel in
18 the Interstate 405 express toll lanes, and (ii) the department may
19 not restrict access to these lanes based upon the number of people
20 in the vehicle.

21 (5) The department shall monitor the express toll lanes project
22 and shall annually report to the transportation commission and the
23 legislature on the impacts from the project on the following
24 performance measures:

25 (a) Whether the express toll lanes maintain speeds of forty-five
26 miles per hour at least ninety percent of the time during peak
27 periods;

28 (b) Whether the average traffic speed changed in the general
29 purpose lanes;

30 (c) Whether transit ridership changed;

31 (d) Whether the actual use of the express toll lanes is
32 consistent with the projected use;

33

34

1 (e) Whether the express toll lanes generated sufficient revenue
2 to pay for all Interstate 405 express toll lane-related operating
3 costs;

4 (f) Whether travel times and volumes have increased or decreased
5 on adjacent local streets and state highways; and

6 (g) Whether the actual gross revenues are consistent with
7 projected gross revenues as identified in the fiscal note for
8 Engrossed House Bill No. 1382 distributed by the office of financial
9 management on March 15, 2011.

10 ~~((+5))~~ (6)(a) If after two years of operation of the express
11 toll lanes on Interstate 405 performance measures listed in
12 subsection ~~((+4))~~ (5)(a) and (e) of this section are not being met,
13 the express toll lanes project must be terminated as soon as
14 practicable.

15 (b) During the 2015-2017 fiscal biennium, for the purposes of
16 this subsection (6), "operation of the express toll lanes on
17 Interstate 405" means the operation of express toll lanes along the
18 entire length of Interstate 405 between Lynnwood and where State
19 Route 167 meets Interstate 405.

20 ~~((+6))~~ (7) The department, in consultation with the
21 transportation commission, shall consider making operational changes
22 necessary to fix any unintended consequences of implementing the
23 express toll lanes project.

24 ~~((+7))~~ (8) A violation of the lane restrictions applicable to
25 the express toll lanes established under this section is a traffic
26 infraction.

27 (9) During the 2015-2017 fiscal biennium, any savings on
28 Interstate 405 corridor projects must stay on the Interstate 405
29 corridor and be made available first to make up any difference
30 between expected revenue and actual revenue to the extent that such
31 difference is attributable to the limitations imposed in this
32 section. Any additional savings must be made available to any other
33 project on the corridor."

34

1 Renumber the remaining sections consecutively and correct any
2 internal references accordingly. Correct the title.

EFFECT:

- Provides that, during the 2015-2017 fiscal biennium, the WSDOT must allow toll-free travel on the Interstate 405 express toll lanes for vehicles carrying two or more people for the first 180 days of operation on each segment.
- Allows, during the 2015-2017 fiscal biennium, the department to increase, on any segment of the Interstate 405 express tolls lanes, the occupancy requirement to three or more people after 180 days if necessary to comply with federal requirements and defines two segments of the Interstate 405 express toll lanes.
- Requires, during the 2015-2017 fiscal biennium, the WSDOT to provide toll-free access to the express toll lanes, and without any restrictions based upon the number of people in a vehicle, during the evening hours after peak traffic demand until 5 a.m.
- Delays, during the 2015-2017 fiscal biennium, the time period after which the express toll lane operation must be ceased if certain performance measures are not met to after 2 years of operation of express toll lanes along the entire length of Interstate 405 between Lynnwood and State Route 167.
- Requires that any savings on projects in the Interstate 405 corridor be first dedicated to making up any revenue difference that is attributable to the tolling policy changes described above.
- Requires that any savings on the I-405/Kirkland Vicinity Stage 2 - Widening Project (8BI1002) be first dedicated to making up any revenue difference that is attributable to the tolling policy changes described above.

FISCAL IMPACT: No net change to appropriated levels.

--- END ---