

SHB 1299 - H AMD **368**

By Representative Harmsworth

WITHDRAWN 04/09/2015

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

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

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

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

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

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

18 (c) Toll charges may not be assessed on transit buses and
19 vanpools.

20 (d) The department shall establish performance standards for
21 travel time, speed, and reliability for the express toll lanes
22 project. The department must automatically adjust the toll rate
23 within the schedule established by the tolling authority, using
24 dynamic tolling, to ensure that average vehicle speeds in the lanes
25 remain above forty-five miles per hour at least ninety percent of
26 the time during peak hours.

27

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

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

25 (4)(a) During the first one hundred eighty days of operation of
26 any segment of the Interstate 405 express toll lanes, the department
27 must examine the minimum average operating speed in the express toll
28 lanes within each segment. If, during that time, any segment
29 maintains a minimum average operating speed of 45 miles per hour or
30 greater 90 percent of the time during both morning or evening
31 weekday peak hour periods, the department must then allow toll-free
32 travel in that segment of the express toll lanes for any vehicle
33 carrying two or more people. If instead, during that time, any
34 segment fails to maintain a minimum average operating speed of 45

1 miles per hour or greater 90 percent of the time during both morning
2 or evening weekday peak hour periods, the department may then
3 continue to restrict toll-free travel in that segment of the express
4 toll lanes to only vehicles carrying three or more people, but this
5 restriction may continue to be imposed only during the morning and
6 evening peak hours.

7 (b) If the department is required to allow toll-free travel for
8 any vehicle carrying two or more people pursuant to subsection (a)
9 of this section, during the subsequent one hundred eighty days of
10 operation of any segment of the Interstate 405 express toll lanes,
11 the department must examine the minimum average operating speed in
12 the express toll lanes within each segment. If, during that time,
13 any segment fails to maintain a minimum average operating speed of
14 45 miles per hour or greater 90 percent of the time during both
15 morning or evening weekday peak hour periods, the department may
16 then restrict toll-free travel in that segment of the express toll
17 lanes to only vehicles carrying three or more people. If instead,
18 during that time, any segment maintains a minimum average operating
19 speed of 45 miles per hour or greater 90 percent of the time during
20 both morning or evening weekday peak hour periods, the department
21 must then continue to allow toll-free travel in that segment of the
22 express toll lanes for any vehicle carrying two or more people.

23 (c) In determining whether toll-free access to the express toll
24 lanes must be limited to vehicles carrying three or more people, the
25 department must analyze each segment of the Interstate 405 express
26 toll lane separately.

27 (d) For the purposes of this section, the portion of Interstate
28 405 on which there will be two express toll lanes running in each
29 direction shall be considered one segment, and the portion of
30 Interstate 405 on which there will be one express toll lane running
31 in each direction shall be considered another segment.

32 (e) This subsection (4) expires on June 30, 2017.

33 (5) The department shall monitor the express toll lanes project
34 and shall annually report to the transportation commission and the

1 legislature on the impacts from the project on the following
2 performance measures:

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

6 (b) Whether the average traffic speed changed in the general
7 purpose lanes;

8 (c) Whether transit ridership changed;

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

11 (e) Whether the express toll lanes generated sufficient revenue
12 to pay for all Interstate 405 express toll lane-related operating
13 costs;

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

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

20 ~~((+5))~~ (6)(a) If after two years of operation of the express
21 toll lanes on Interstate 405 performance measures listed in
22 subsection ~~((+4))~~ (5)(a) and (e) of this section are not being met,
23 the express toll lanes project must be terminated as soon as
24 practicable.

25 (b) During the 2015-2017 fiscal biennium, for the purposes of
26 this subsection (6), "operation of the express toll lanes on
27 Interstate 405" means the operation of express toll lanes along the
28 entire length of Interstate 405 between Lynnwood and where State
29 Route 167 meets Interstate 405.

30 ~~((+6))~~ (7) The department, in consultation with the
31 transportation commission, shall consider making operational changes
32 necessary to fix any unintended consequences of implementing the
33 express toll lanes project.

34

1 (~~(7)~~) (8) A violation of the lane restrictions applicable to the
2 express toll lanes established under this section is a traffic
3 infraction."

4

5 Renumber the remaining sections consecutively and correct any
6 internal references accordingly. Correct the title.

7

EFFECT:

- Requires the WSDOT to examine the average speed in each segment of the I-405 express toll lanes for the first 180 days of the lanes' operation.
- Requires the WSDOT to provide toll-free access to segments of the I-405 express toll lanes for vehicles carrying two or more people, if the lanes meet certain average speed requirements during the first 180 days of the lanes' operation.
- Requires the WSDOT to examine the average speed in each segment of the I-405 express toll lanes for the subsequent 180 days of the lanes' operation, if toll-free access is granted to vehicles carrying two or more people.
- Requires the WSDOT to restrict toll-free access to segments of the I-405 express toll lanes to vehicles carrying three or more people if the lanes fail to meet certain average speed requirements during the subsequent 180 days of the lanes' operation.
- 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.

FISCAL IMPACT: No net change to appropriated levels.

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