

WSR 26-05-084

PROPOSED RULES

TRANSPORTATION COMMISSION

[Filed February 18, 2026, 10:26 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 25-23-115.

Title of Rule and Other Identifying Information: Establishing new toll rate setting procedures in chapter 468-270 WAC.

Hearing Location(s): On March 24, 2026, at 9:00 a.m., virtual via Zoom. Register at https://us02web.zoom.us/webinar/register/WN__svIferoQMquBQRRDYp-HQ. The public hearing will be held virtually over Zoom as part of the Washington state transportation commission's (WSTC) monthly virtual March meeting.

Date of Intended Adoption: March 24, 2026.

Submit Written Comments to: WSTC, P.O. Box 47308, Olympia, WA 98504-7308, email transc@wstc.wa.gov, fax 360-705-6802, beginning February 18, 2026, noon, by March 23, 2026, 5:00 p.m.

Assistance for Persons with Disabilities: Contact Kristi Haines, phone 360-705-7070, fax 360-705-6802, TTY 711 connect to 360-705-7070, email transc@wstc.wa.gov, by March 23, 2026, at 5:00 p.m.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of this proposal is to establish new procedures for setting toll rates and toll rate policies for Washington tolled facilities. Under the proposed new process, toll rates and policies will be posted on the WSTC website, along with information on any future toll adjustments, serving as the official location for this information. Given this, the proposal will amend and repeal several sections currently in chapter 468-270 WAC, and a new section will be added to chapter 468-270 WAC indicating where the information from the repealed provisions can be found on the WSTC website.

Reasons Supporting Proposal: RCW 34.05.030 exempts WSTC from the Administrative Procedure Act when exercising its powers as the state tolling authority. RCW 47.56.877 authorizes WSTC to establish a new process for setting toll rates and toll rate policies. As such, WSTC must establish new procedures for setting toll rates and policies for all current and future authorized tolled facilities.

Statutory Authority for Adoption: RCW 47.56.877, 47.56.850, 47.56.030, 34.05.030, 47.56.165, 47.56.795, 47.46.100, and 47.46.105.

Statute Being Implemented: RCW 47.56.877, 34.05.030, and 47.56.850.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: WSTC, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Aaron Halbert, WSTC, 2404 Chandler Court S.W., Olympia, WA 98504, 360-705-7070.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. Pursuant to RCW 34.05.328 (5)(b)(v), a cost-benefit analysis is not required, as this rule is explicitly dictated by statute. In addition, WSTC is not one of the agencies listed under RCW 34.05.328 (5)(a)(i).

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rule content is explicitly and specifically dictated by statute.
 Scope of exemption for rule proposal:
 Is fully exempt.

February 18, 2026
 Reema Griffith
 Executive Director

RDS-7003.1

AMENDATORY SECTION (Amending WSR 11-04-070, filed 1/28/11, effective 12/3/11)

WAC 468-270-010 Who sets the toll rates and ((exemptions)) toll rate policies? The Washington state transportation commission determines and establishes toll rates and toll rate policies, including exemptions, for state toll facilities in Washington.

AMENDATORY SECTION (Amending WSR 07-13-010, filed 6/8/07, effective 7/9/07)

WAC 468-270-020 Who collects the tolls? The Washington state department of transportation is ((ultimately)) responsible for collecting tolls. However, ((the department)) WSDOT may contract with one or more independent toll collection companies to manage the day-to-day toll collection activities at its various toll facilities. All toll related revenues collected by any independent toll collection company through WSDOT are payable to the state of Washington.

AMENDATORY SECTION (Amending WSR 25-15-020, filed 7/7/25, effective 8/7/25)

WAC 468-270-030 Definitions. ((**"Authorized emergency vehicle"** means an on-duty vehicle of any fire department, police department, sheriff's office, Washington state patrol, ambulance service, public or private and which is equipped with emergency lights and siren and used to respond to emergency calls.

"Cash customer" means a toll customer who pays the toll on the Tacoma Narrows Bridge at a toll booth.

"Citizens advisory committee" means the citizens committee established by RCW 47.46.090 that advises the transportation commission on Tacoma Narrows Bridge toll rates.

"Department" means the Washington state department of transportation (WSDOT).

"Express toll lanes" means one or more highway lanes that can be used by authorized high-occupancy vehicles, and by toll-paying vehicles, where toll rates are set to maintain travel speed and reliability.

~~"Good To Go!™" is the name of the department's toll collection system.~~

~~"Good To Go!™ Pass" means the transponder device used to pay a toll by a customer who has a toll account.~~

~~"Highway or transit operating and maintenance vehicle" means a vehicle assigned to operate or maintain the toll facility, including incident response vehicles, transit service supervisor or maintenance vehicles, and agency tow trucks.~~

~~"On-duty" means the vehicle is operating in an official capacity.~~

~~"Pass" see Good To Go!™ Pass.~~

~~"Pay By Mail" means the method used to pay a photo toll when a toll bill is mailed to the vehicle's registered owner.~~

~~"Pay By Plate" means the method used to pay a photo toll by a customer who has a toll account.~~

~~"Photo toll" means a charge associated with a particular vehicle that is identified by its license plate.~~

~~"Privately owned and operated passenger bus" means: (a) A vehicle with a carrying capacity of 16 or more persons, including the operator, which must be clearly marked or identified to display the business name and/or logo on the driver and passenger sides of the vehicle; operate on a fixed schedule and fixed route, serve the public and/or employees, and meet the annual certification requirements of the department; and (b) privately owned and operated passenger buses designed for carrying 10 or more persons, including the operator, with an elevated passenger deck located over a baggage compartment, including charter buses, which serve the public on a regular schedule and on a continuing basis.~~

~~"School bus" means a vehicle with a seating capacity of more than 16 persons, including the driver, regularly used to transport students to and from school or in connection with school activities.~~

~~"Toll account" means a Good To Go!™ account that is linked to a Pass (transponder) or license plates in order to pay a toll by automatic debit.~~

~~"Transponder (Pass)" means a device attached to a toll customer's vehicle that automatically identifies the toll customer's vehicle as it passes through the toll facility.))~~

~~"Express toll lanes" are as defined in WAC 468-305-001.~~

~~"Toll" is as defined in WAC 468-305-001.~~

~~"Toll rate policy" means a policy that governs how toll rates and administrative fees are applied, such as discounts, exemptions, eligibility criteria, pricing structures, and hours of operation.~~

~~"Transportation commission (commission)" means the Washington state transportation commission whose duties and composition are set out in chapter 47.01 RCW.~~

AMENDATORY SECTION (Amending WSR 25-15-020, filed 7/7/25, effective 8/7/25)

WAC 468-270-040 How are the tolls determined and adjusted? ((In determining toll amounts, the transportation commission considers data and information provided by the department of transportation, public opinion and advice from any required citizen advisory committee.

(1) Tacoma Narrows Bridge. In accordance with chapter 47.46 RCW, the commission must consider the toll rate advice of the citizen advisory committee and must set toll amounts that cover the debt and oper-

ations and maintenance until the indebtedness is repaid as required by law.

~~(2) SR 520 Bridge. The commission must consider toll rates that will help maintain travel time, speed, and reliability on the corridor and must set and adjust toll rates to generate revenue sufficient and necessary to cover costs and obligations described in RCW 47.56.830 and 47.56.850.~~

~~(3) SR 99 Tunnel.~~

~~(a) The commission must consider toll rates that will help maintain travel time, speed, and reliability on the tunnel and must set and adjust toll rates to generate revenue sufficient and necessary to cover costs and obligations described in RCW 47.56.830 and 47.56.850.~~

~~(b) Effective July 1, 2022, and every three years thereafter, subject to review and potential adjustment by the commission, toll rates shall be set as follows:~~

~~(i) All two-axle Good To Go!™ toll rates shall increase by three percent, rounded to the nearest five cent interval.~~

~~(ii) All two-axle Pay By Mail toll rates shall be set to two dollars more than the revised two-axle Good To Go!™ toll rates.~~

~~(iii) All multi-axle Good To Go!™ and Pay By Mail toll rates shall be set equal to one-half the revised two-axle rates, multiplied by the number of axles up to a maximum of six axles, and rounded to the nearest five cent interval.~~

~~(4) I-405 and SR 167 express toll lanes.~~

~~(a) The commission must consider a schedule of toll rates that will maintain travel time, speed, and reliability on the corridor as described in RCW 47.56.850 and 47.56.880. The schedule adopted by the commission will allow toll rates to vary in amount by time of day, level of traffic congestion within the highway facility, and other criteria.~~

~~(b) The commission must set a minimum and a maximum toll rate, each subject to review on an annual basis or as needed to maintain performance requirements outlined in RCW 47.56.880.~~

~~(c) The commission must set an additional fixed amount to be added to the toll rate for vehicles that are not registered for a Good To Go!™ account who pay the Pay By Mail toll rate.~~

~~(5) Puget Sound Gateway facility (SR 509 Expressway and SR 167 Expressway).~~

~~(a) The commission must consider toll rates that will help maintain travel time, speed, and reliability on the Puget Sound Gateway facility (SR 509 Expressway and SR 167 Expressway) and must set and adjust toll rates to generate revenue sufficient and necessary to cover costs and obligations described in RCW 47.56.830 and 47.56.850.~~

~~(b) Effective July 1, 2030, and every year thereafter, subject to review and potential adjustment by the commission, toll rates shall be set as follows:~~

~~(i) All two-axle Good To Go!™ toll rates shall increase by 2.15 percent, rounded to the nearest five cent interval, but not by less than five cents.~~

~~(ii) All two-axle Pay By Mail toll rates shall be set to two dollars more than the revised two-axle Good To Go!™ toll rates.~~

~~(iii) All multi-axle Good To Go!™ and Pay By Mail toll rates shall be set equal to one-half the revised two-axle rates, multiplied by the number of axles up to a maximum of six axles, and rounded to the nearest five cent interval.)~~ (1) The toll rates for each facility take effect upon commencement of the tolling program on each new toll facility. Unless otherwise required by law, the collection of tolls on

a facility will remain in effect until changed by the commission. Toll rates will be reviewed and are subject to change at least annually and more often as necessary to ensure the toll revenue of each facility meets the payment requirements and/or traffic efficiency requirements for that facility.

(2) When setting toll rates or toll rate policies for an eligible toll facility, the commission shall:

(a) Issue a written public notice which states the commission's intent to set or adjust toll rates or toll rate policies on a given facility. At a minimum, the notice must be published on the commission's website at least 30 days before any proposed rates or policies take effect.

(b) Carry out a public outreach process on a possible toll rate option or options under consideration by the commission. At a minimum, a public outreach process shall:

(i) Include a description of the proposed toll rates and/or toll rate policies on the WSTC website; and

(ii) Provide an opportunity for the public to submit comments verbally, electronically, or in writing.

(c) After review of options and public input, if any, the commission shall select the applicable toll rates and may adopt the rates as soon as needed at an open public meeting of the commission.

(d) Within one week of adopting toll rates, the commission shall notify the public and stakeholder agencies, including WSDOT, of the toll rates, and provide the updated information on its website.

(3) If the commission determines that immediate adoption of a toll change is necessary in order to comply with the legal or financial obligations of the state including, but not limited to, state or federal law, federal rule, federal grant conditions, or the bond covenants of the state, then the commission may adopt a toll change on an emergency basis, without observing the notice and public outreach and input requirements of subsection (2) of this section.

(4) In accordance with chapter 47.46 RCW, the commission must consider the toll rate advice of the citizen advisory committee on any proposed toll charge schedule for the Tacoma Narrows Bridge.

AMENDATORY SECTION (Amending WSR 25-15-020, filed 7/7/25, effective 8/7/25)

WAC 468-270-050 What toll facilities are currently subject to this chapter? ~~((Currently, the Tacoma Narrows Bridge, I-405 and SR 167 express toll lanes, SR 520 Bridge, the SR 99 Tunnel, and the Puget Sound Gateway facility (SR 509 Expressway and SR 167 Expressway).))~~ Tolled facilities, as authorized under chapters 47.56 and 47.46 RCW, are eligible tolled facilities and subject to this chapter.

NEW SECTION

WAC 468-270-055 Where can I find the current toll rates, policies, and administrative fees? (1) Current toll rates and policies shall be maintained on the transportation commission's website: <https://wstc.wa.gov/programs/tolling/>

(2) Rates and policies posted on the WSTC website are effective as of the date specified.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

REPEALER

The following sections of the Washington Administrative Code are repealed:

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| WAC 468-270-045 | Which Tacoma Narrows Bridge costs may be paid with toll revenues? |
| WAC 468-270-060 | How often will the toll rates for each toll facility be reviewed for potential change? |
| WAC 468-270-070 | What are the toll rates on the Tacoma Narrows Bridge? |
| WAC 468-270-071 | What are the toll rates on the SR 520 Bridge? |
| WAC 468-270-073 | What are the toll rates on the SR 99 Tunnel? |
| WAC 468-270-075 | What are the toll rates for the SR 167 express toll lanes? |
| WAC 468-270-077 | What are the toll rates for the I-405 express toll lanes? |
| WAC 468-270-078 | What are the hours that tolling will be in effect on the I-405 express toll lanes? |
| WAC 468-270-079 | What are the hours that tolling will be in effect on the SR-167 express toll lanes? |
| WAC 468-270-080 | When are toll rates in effect? |
| WAC 468-270-081 | What are the toll rates on the SR 509 Expressway? |
| WAC 468-270-082 | What are the toll rates on the SR 167 Expressway? |
| WAC 468-270-085 | What vehicles are exempt from paying tolls on all toll facilities on Washington state highways? |
| WAC 468-270-095 | What is required to claim a noncarpool toll exemption on all toll facilities on Washington state highways? |
| WAC 468-270-105 | What high occupancy vehicles are exempt from paying tolls on the SR 167 express toll lanes? |
| WAC 468-270-115 | What high occupancy vehicles are exempt from paying tolls on the I-405 express toll lanes? |

- WAC 468-270-120 How many occupants are required to be considered an eligible carpool for toll exemption on I-405 express toll lanes?
- WAC 468-270-130 How can I use the I-405 express toll lanes as a toll-free carpool?
- WAC 468-270-140 How can I use the I-405 express toll lanes as a toll-free motorcycle?
- WAC 468-270-300 What other fees and discounts may apply to toll customers?