



Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Meeting Agenda

Bay Area Toll Authority

Alfredo Pedroza, Chair Nick Josefowitz, Vice Chair

Wednesday, November 17, 2021

9:40 AM

REMOTE

The Bay Area Toll Authority is scheduled to meet on Wednesday, November 17, 2021 at 9:40 a.m., or immediately following the 9:35 a.m. Commission meeting, in the Bay Area Metro Center (Remotely). In light of Governor Newsom's State of Emergency declaration regarding COVID-19 and in accordance with the recently signed Assembly Bill 361 allowing remote meetings, this meeting will be accessible via webcast, teleconference, and Zoom for all participants. A Zoom panelist link for meeting participants will be sent separately to committee, commission, or board members.

The meeting webcast will be available at <https://mtc.ca.gov/whats-happening/meetings/live-webcasts>. Members of the public are encouraged to participate remotely via Zoom at the following link or phone number.

Attendee Link: <https://bayareametro.zoom.us/j/81188017106>

iPhone One-tap: US: +13462487799,,81188017106# or +14086380968,,81188017106#

Join by Telephone (for higher quality, dial a number based on your current location) US:

+1 669 900 6833 or +1 408 638 0968 or +1 346 248 7799 or

+1 253 215 8782 or +1 646 876 9923 or +1 301 715 8592 or

+1 312 626 6799 or 888 788 0099 (Toll Free) or 877 853 5247 (Toll Free)

Webinar ID: 811 8801 7106

International numbers available: <https://bayareametro.zoom.us/j/81188017106>

Detailed instructions on participating via Zoom are available at:

<https://mtc.ca.gov/how-provide-public-comment-board-meeting-zoom>. Committee members and members of the public participating by Zoom wishing to speak should use the "raise hand" feature or dial "*9". In order to get the full Zoom experience, please make sure your application is up to date.

Members of the public may participate by phone or Zoom or may submit comments by email at info@bayareametro.gov by 5:00 p.m. the day before the scheduled meeting date. Please include the committee or board meeting name in the subject line. Due to the current circumstances there may be limited opportunity to address comments during the meeting. All comments received will be submitted into the record.

1. Call to Order / Roll Call / Confirm Quorum

Quorum: A quorum of this Authority shall be a majority of its voting members (10).

2. Chair's Report**3. Closed Session**

3a. [21-1544](#) Closed Session Public Comment

3b. [21-1427](#) Closed Session - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

The Authority will meet in closed session pursuant to Government Code Section 54956.9(a) and paragraph (1) of subdivision (d) of Government Code Section 54956.9 to confer with counsel regarding:

Howard Jarvis Taxpayers Association, et al. vs. The Bay Area Toll Authority, et al., California Supreme Court Case No. S263835; California Court of Appeals, 1st Appellate District Court Case No. A157598 (consolidated with Randall Whitney vs. Metropolitan Transportation Commission, California Court of Appeals, 1st Appellate District Court Case No. A157972).

3c. [21-1431](#) Open Session

Action: Authority Approval

4. Consent Calendar

4a. [21-1381](#) Minutes of the October 27, 2021 meeting

Action: Authority Approval

Attachments: [4a - 21-1381 - Oct 27 - BATA Draft Meeting Minutes.pdf](#)

4b. [21-1497](#) BATA Resolution No. 147 - AB 361 Remote Meetings

Action: Authority Approval

Attachments: [4b - 21-1497 - BATA Reso 147 AB 361.pdf](#)

5. BATA Oversight Committee Report (Worth)

- 5a. [21-1350](#) Update on Bay Area FasTrak® Equity Action Plan and FasTrak® Policy Changes: Referral to Authority
- BATA Resolution 52, Revised - FasTrak® Regional Customer Service Center Policy Revisions to Reduce Toll Tag Deposit and Pre-paid Balance to Open a FasTrak® Account and Eliminate Cash Payment Network Fees to Support Affordability and Accessibility of FasTrak®
- Action:** Authority Approval
- Presenter:** Lysa Hale
- Attachments:** [5a - 21-1350 - Equity Action Plan - Reso 52 Changes - ChangeOrder-Conduent](#)
[5a - 21-1350 - Equity Action Plan - Presentation.pdf](#)
[5a - Public Comment - SPUR and Other Organizations.pdf](#)
[5a - Public Comment - Dupree.pdf](#)

6. Public Comment / Other Business

7. Adjournment / Next Meeting

The next meeting of the Bay Area Toll Authority is scheduled to be held at 9:40 a.m. remotely and by webcast on ***the third Wednesday, December 15, 2021.*** Any changes to the schedule will be duly noticed to the public.

Public Comment: The public is encouraged to comment on agenda items at Authority meetings by completing a request-to-speak card (available from staff) and passing it to the Authority secretary. Public comment may be limited by any of the procedures set forth in Section 3.09 of MTC's Procedures Manual (Resolution No. 1058, Revised) if, in the chair's judgment, it is necessary to maintain the orderly flow of business.

Meeting Conduct: If this meeting is willfully interrupted or disrupted by one or more persons rendering orderly conduct of the meeting unfeasible, the Chair may order the removal of individuals who are willfully disrupting the meeting. Such individuals may be arrested. If order cannot be restored by such removal, the members of the Authority may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue.

Record of Meeting: Authority meetings are recorded. Copies of recordings are available at a nominal charge, or recordings may be listened to at MTC offices by appointment. Audiocasts are maintained on MTC's Web site (mtc.ca.gov) for public review for at least one year.

Accessibility and Title VI: MTC provides services/accommodations upon request to persons with disabilities and individuals who are limited-English proficient who wish to address Commission matters. For accommodations or translations assistance, please call 415.778.6757 or 415.778.6769 for TDD/TTY. We require three working days' notice to accommodate your request.

可及性和法令第六章: MTC 根據要求向希望來委員會討論有關事宜的殘疾人士及英語有限者提供服務/方便。需要便利設施或翻譯協助者, 請致電 415.778.6757 或 415.778.6769 TDD / TTY。我們要求您在三個工作日前告知, 以滿足您的要求。

Acceso y el Titulo VI: La MTC puede proveer asistencia/facilitar la comunicación a las personas discapacitadas y los individuos con conocimiento limitado del inglés quienes quieran dirigirse a la Comisión. Para solicitar asistencia, por favor llame al número 415.778.6757 o al 415.778.6769 para TDD/TTY. Requerimos que solicite asistencia con tres días hábiles de anticipación para poderle proveer asistencia.

Attachments are sent to Authority members, key staff and others as appropriate. Copies will be available at the meeting.

All items on the agenda are subject to action and/or change by the Authority. Actions recommended by staff are subject to change by the Authority.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 21-1544 **Version:** 1 **Name:**

Type: Report **Status:** Informational

File created: 11/5/2021 **In control:** Bay Area Toll Authority

On agenda: 11/17/2021 **Final action:**

Title: Closed Session Public Comment

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Subject:
Closed Session Public Comment



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 21-1427 **Version:** 1 **Name:**
Type: Report **Status:** Informational
File created: 10/19/2021 **In control:** Bay Area Toll Authority
On agenda: 11/17/2021 **Final action:**
Title: Closed Session - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

The Authority will meet in closed session pursuant to Government Code Section 54956.9(a) and paragraph (1) of subdivision (d) of Government Code Section 54956.9 to confer with counsel regarding:

Howard Jarvis Taxpayers Association, et al. vs. The Bay Area Toll Authority, et al., California Supreme Court Case No. S263835; California Court of Appeals, 1st Appellate District Court Case No. A157598 (consolidated with Randall Whitney vs. Metropolitan Transportation Commission, California Court of Appeals, 1st Appellate District Court Case No. A157972).

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Subject:

Closed Session - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

The Authority will meet in closed session pursuant to Government Code Section 54956.9(a) and paragraph (1) of subdivision (d) of Government Code Section 54956.9 to confer with counsel regarding:

Howard Jarvis Taxpayers Association, et al. vs. The Bay Area Toll Authority, et al., California Supreme Court Case No. S263835; California Court of Appeals, 1st Appellate District Court Case No. A157598 (consolidated with Randall Whitney vs. Metropolitan Transportation Commission, California Court of Appeals, 1st Appellate District Court Case No. A157972).



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 21-1431 **Version:** 1 **Name:**

Type: Report **Status:** Informational

File created: 10/19/2021 **In control:** Bay Area Toll Authority

On agenda: 11/17/2021 **Final action:**

Title: Open Session

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Subject:
Open Session

Recommended Action:
Authority Approval



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 21-1381 **Version:** 1 **Name:**
Type: Minutes **Status:** Authority Approval
File created: 10/7/2021 **In control:** Bay Area Toll Authority
On agenda: 11/17/2021 **Final action:**
Title: Minutes of the October 27, 2021 meeting
Sponsors:
Indexes:
Code sections:
Attachments: [4a - 21-1381 - Oct 27 - BATA Draft Meeting Minutes.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:
Minutes of the October 27, 2021 meeting

Recommended Action:
Authority Approval



Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Meeting Minutes

Bay Area Toll Authority

Alfredo Pedroza, Chair Nick Josefowitz, Vice Chair

Wednesday, October 27, 2021

10:10 AM

REMOTE (In person option available)

Call Remote Meeting to Order

1. Roll Call / Confirm Quorum

Present: 17 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Sperling and Commissioner Worth

Absent: 1 - Commissioner Schaaf

Non-Voting Commissioner Absent: Commissioner El-Tawansy

Non-Voting Commissioner Present: Commissioner Giacomini

2. Chair's Report

3. Consent Calendar

Upon the motion by Commissioner Glover and the second by Commissioner Abe-Koga, the Consent Calendar was unanimously approved by the following vote:

Aye: 16 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Sperling and Commissioner Worth

Absent: 2 - Commissioner Fleming and Commissioner Schaaf

3a. [21-1199](#) Minutes of the September 22, 2021 meeting

Action: Authority Approval

3b. [21-1463](#) BATA Resolution No. 146 - AB 361 Remote Meetings

Action: Authority Approval

4. BATA Oversight Committee Report (Worth)

- 4a. [21-1156](#) Equity Action Plan Update, Contract Action, and Referral to Authority - FasTrak® Policies
- i. BATA Resolution No. 52, Revised - FasTrak® Regional Customer Service Center Policy Revisions: (a) Reduce Toll Violation Penalties on the State-owned Bridges and (b) Apply Reduced Penalties Retroactively to January 1, 2021.

A request for approval of BATA Resolution No. 52, Revised - FasTrak® Regional Customer Service Center Policies, reducing toll violation penalties on the State-owned bridges retroactively to January 1, 2021.

Action: Authority Approval

Presenter: Lysa Hale and Beth Zelinski

Aleta Dupree and Veda Flores were called to speak.

Upon the motion by Commissioner Worth and the second by Commissioner Abe-Koga, the Commission unanimously adopted BATA Resolution No. 52, Revised. The motion carried by the following vote:

Aye: 16 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Sperling and Commissioner Worth

Absent: 2 - Commissioner Fleming and Commissioner Schaaf

- 4b.** [21-1018](#) BATA Resolution No. 147 - Authorizing the 2022 Plan of Finance; and Good Faith Estimate.

A request for approval of BATA Resolution No. 147, authorizing the FY 2021-22 Plan of Finance.

Action: Authority Approval

Presenter: Brian Mayhew

Commissioner Fleming arrived during agenda item 4b.

Upon the motion by Commissioner Worth and the second by Commissioner Dutra-Vernaci, the Authority unanimously adopted BATA Resolution No. 147. The motion carried by the following vote:

Aye: 17 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Spering and Commissioner Worth

Absent: 1 - Commissioner Schaaf

5. Public Comment / Other Business

Aleta Dupree was called to speak.

6. Adjournment / Next Meeting

The next meeting of the Bay Area Toll Authority is scheduled to be held at 9:40 a.m. remotely and by webcast on *the third Wednesday, November 17, 2021.*** Any changes to the schedule will be duly noticed to the public.**



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 21-1497 **Version:** 1 **Name:**
Type: Resolution **Status:** Authority Approval
File created: 10/28/2021 **In control:** Bay Area Toll Authority
On agenda: 11/17/2021 **Final action:**
Title: BATA Resolution No. 147 - AB 361 Remote Meetings
Sponsors:
Indexes:
Code sections:
Attachments: [4b - 21-1497 - BATA Reso 147 AB 361.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:
BATA Resolution No. 147 - AB 361 Remote Meetings

Recommended Action:
Authority Approval

**Bay Area Toll Authority
BATA**

November 17, 2021

Agenda Item 4b - 21-1497

Resolution No. 147 Providing for Remote Meetings Pursuant to AB 361

Subject:

Approval of Resolution No. 147 Regarding Remote Meetings Pursuant to AB 361

Background:

The recently-enacted bill, AB 361, provides for continuing availability of remote meetings during the pandemic-related state of emergency in California. In order to invoke this option, governing boards of Brown Act bodies, or their authorized designated committees must make certain findings in support of remote meetings within 30 days of the first meeting occurring after October 1, 2021, and every 30 days thereafter. Attached for your review and approval is a resolution invoking AB 361 and providing for remote meetings retroactive to Oct. 1 of this year and prospectively for 30 days following the Bay Area Toll Authority's action.

Issues:

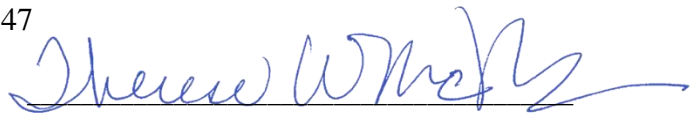
Findings in support of Resolution No. 147 are found in the attached. Given the continuing state of public health emergency and the improved public access afforded by holding public meetings of regional bodies in a virtual setting, the resolution under AB 361 is supportable.

Recommended Action:

The Bay Area Toll Authority is requested to adopt Resolution No. 147, authorizing its committees and related entities, to meet remotely pursuant to the provisions of AB 361.

Attachments:

- Attachment A: BATA Resolution No.147



Therese W. McMillan

Date: November 17, 2021
Referred By: BATA

ABSTRACT

Resolution No. 147

This resolution makes findings pursuant to AB 361 to continue virtual public meetings for the Bay Area Toll Authority (BATA), its related entities and committees during the COVID-19 State of Emergency.

Further discussion of this subject is contained in the BATA Summary Sheet dated November 17, 2021.

Date: November 17, 2021
Referred By: BATA

RE: Findings Pursuant to AB 361 to Continue Virtual Public Meetings for the Bay Area Toll Authority, With its Related Entities and Committees, During the COVID-19 State of Emergency

BAY AREA TOLL AUTHORITY
RESOLUTION NO. 147

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency, as defined under the California Emergency Services Act, due to the COVID-19 pandemic; and

WHEREAS, the State of Emergency remains in effect; and

WHEREAS, beginning in March 2020, the Governor's Executive Order N-29-20 suspended Brown Act requirements related to teleconferencing during the COVID-19 pandemic provided that notice, accessibility, and other requirements were met, and the public was allowed to observe and address the legislative body at the meeting; and

WHEREAS, Executive Order N-08-21 extended the previous order until September 30, 2021; and

WHEREAS, the Bay Area Toll Authority (BATA) and its related entities and committees have conducted their meetings virtually, as authorized by the Executive Order, since March 17, 2020; and

WHEREAS, on September 16, 2021, the Governor signed into law AB 361, an urgency measure effective upon adoption, that provides flexibility to government bodies, allowing them to meet virtually without conforming to the Brown Act teleconferencing rules if: (i) the legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; (ii) the legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or (iii) the legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a

result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, although applicable social distancing requirements are currently no longer in effect, the San Francisco Public Health Department continues to recommend measures to promote social distancing in combination with other safety precautions when activities occur in shared indoor spaces to mitigate the risk of COVID-19 transmission; and

WHEREAS, in the last few months, the Delta variant has surged in the United States and become the predominant COVID-19 variant, the Delta variant is believed by medical experts to be twice as contagious as previous variants, and data has shown the variant has increased transmissibility even among some vaccinated people; and

WHEREAS, due to uncertainty and concerns about the Delta variant and current conditions, many workplaces that had announced a return to regular in-person operations have pushed back the full return date until later in the year or next year; and

WHEREAS, virtual meetings have not diminished the public's ability to observe and participate and have expanded opportunities to do so for some communities; and

WHEREAS, given the heightened risks of the predominant variant of COVID-19 in the community, holding meetings with all members of the legislative body, staff, and the public in attendance in person in a shared indoor meeting space would pose an unnecessary and immediate risk to the attendees;

NOW, THEREFORE, BE IT RESOLVED, that the Bay Area Toll Authority hereby determines that, as a result of the emergency, meeting in person presents imminent risks to the health or safety of attendees; and be it further

RESOLVED, that in accordance with AB 361, based on the findings and determinations herein, meetings of BATA, its related entities and its committees will be held virtually, with Brown Act teleconferencing rules suspended; and be it further

RESOLVED, that this resolution shall be effective upon adoption and remain in effect for 30 days in accordance with AB 361.

BAY AREA TOLL AUTHORITY

Alfredo Pedroza, Chair

The above resolution was entered into by the
Bay Area Toll Authority at a duly called and
noticed meeting held in San Francisco,
California and at other remote locations, on
November 17, 2021



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 21-1350 **Version:** 1 **Name:**
Type: Resolution **Status:** Commission Approval
File created: 10/4/2021 **In control:** Bay Area Toll Authority Oversight Committee
On agenda: 11/10/2021 **Final action:**
Title: Update on Bay Area FasTrak® Equity Action Plan and FasTrak® Policy Changes: Referral to Authority

BATA Resolution 52, Revised - FasTrak® Regional Customer Service Center Policy Revisions to Reduce Toll Tag Deposit and Pre-paid Balance to Open a FasTrak® Account and Eliminate Cash Payment Network Fees to Support Affordability and Accessibility of FasTrak®

Sponsors:

Indexes:

Code sections:

Attachments: [5a - 21-1350 - Equity Action Plan - Reso 52 Changes - ChangeOrder-Conduent.pdf](#)
[5a - 21-1350 - Equity Action Plan - Reso 52 Changes - ChangeOrder-Conduent.pdf](#)
[5a - 21-1350 - Equity Action Plan - Presentation.pdf](#)
[5a - Public Comment - SPUR and Other Organizations.pdf](#)
[5a - Public Comment - Dupree.pdf](#)

Date	Ver.	Action By	Action	Result
11/10/2021	1	Bay Area Toll Authority Oversight Committee		

Subject:

Update on Bay Area FasTrak® Equity Action Plan and FasTrak® Policy Changes: Referral to Authority

BATA Resolution 52, Revised - FasTrak® Regional Customer Service Center Policy Revisions to Reduce Toll Tag Deposit and Pre-paid Balance to Open a FasTrak® Account and Eliminate Cash Payment Network Fees to Support Affordability and Accessibility of FasTrak®

Presenter:

Lysa Hale

Recommended Action:

Authority Approval

**Bay Area Toll Authority
Oversight Committee****November 10, 2021****Agenda Item 5a - 21-1350****Update on Bay Area FasTrak® Equity Action Plan and FasTrak® Policy Changes: Referral to Authority and Contract Action**

- i. BATA Resolution 52, Revised – FasTrak® Regional Customer Service Center Policy Revisions to Reduce Toll Tag Deposit and Pre-paid Balance to Open a FasTrak® Account and Eliminate Cash Payment Network Fees to Support Affordability and Accessibility of FasTrak® and**
 - ii. Contract Change Order – FasTrak® Regional Customer Service Center Support to (1) Reduce Tag Deposit and Prepaid Balance to Open a FasTrak® Account and Eliminate Cash Payment Network Fees, and (2) Support RM3 Toll Increase: Conduent State and Local Solutions, Inc., (\$150,000)**
-

Subject:

A request that BATA Resolution No. 52, Revised be referred to the full Authority for approval, a request to authorize the Executive Director or designee to negotiate and enter into a contract change order with Conduent State and Local Solutions, Inc. (Conduent) and an update on the Bay Area FasTrak® Equity Action Plan.

Background:

At the May 2021 BATA Oversight meeting, staff unveiled an ambitious strategy to make the Bay Area FasTrak® program more equitable through its Equity Action Plan. Staff provided an update on that plan at the October 2021 BATA Oversight meeting. At that meeting, staff heard from Commissioners about the need for customers to be able to resolve issues and manage debt, to urgently focus on those who need it most, and include baseline data and cost/benefit analyses in assessments of potential policy changes, among other requests and comments. In response to the Authority's desire to provide customer-friendly toll payment options that improve accessibility and affordability for Equity Priority Communities, staff envisions a set of significant changes.

To start with, in October 2021, this Committee referred to the full Authority a proposed change to reduce the amount of violation penalties from \$25 to \$5 for the first notice and from \$45 to \$10 for the second notice; for a combined first and second penalty total of \$70. BATA Resolution No. 52, Revised was approved by the Authority on October 27, 2021, to reflect FasTrak® Regional Customer Service Center policies related to these changes in violation

penalties. Today, staff will request approval for additional policy changes that will make it easier for drivers to sign up for FasTrak® and discuss future policy assessments.

Today's Actions

i. BATA Resolution No. 52, Revised – FasTrak® Regional Customer Service Center

Revisions: Reduce Toll Tag Deposit, Reduce Minimum Opening Balance Requirement and Eliminate Cash Payment Network Fees

As presented at the October Committee meeting, additional ways to make immediate policy changes to increase FasTrak® access through affordability include reducing the deposit for toll tags, reducing the required opening balance for all customers, and eliminating cash payment network fees. Staff promised to come back in November 2021 for formal approval to make these changes:

- Tag deposit: Deposits for toll tags are now \$20 and are waived for the first three toll tags for customers funding their FasTrak® account with a credit card. The deposit is not waived for customers who fund their FasTrak® account using cash or check. Staff's recommendation is to reduce the required tag deposit from \$20 to \$5, thereby lowering the cost of entry into a FasTrak® account. The tag replacement fee would also be reduced from \$20 to \$5 to align with the reduced tag deposit. It is important to note that tag costs have decreased considerably from about \$20 per tag to about \$5 per tag since California toll agencies transitioned to a new technology in January 2019.
- Opening balance for a FasTrak® account: Opening a FasTrak® account requires a pre-paid balance. Currently a customer paying with cash or check must have an opening balance of \$50 – \$25 more than customers who use a credit card. Staff's recommendation is to require a \$25 pre-paid balance for both methods of payment.
- Cash payment network: FasTrak® maintains a regional network of cash payment locations where customers can pay invoices and violations as well as add value to their FasTrak® accounts. Currently, customers who use a cash payment location pay a fee of \$1.95 to reload their FasTrak® accounts and \$2.95 to pay a violation. Staff recommends eliminating these fees.

Staff recommends revising BATA Resolution No. 52, Revised to reduce tag deposits, reduce pre-paid toll deposits for customers who open accounts with cash or check and eliminate cash payment network convenience fees paid by customers. These policy changes would be effective March 31, 2022 upon completion of system updates by the CSC contractor.

Attachment A-1 includes BATA Resolution No. 52, Revised.

ii. Contract Change Order – FasTrak® Regional Customer Service Center Support to Reduce Toll Tag Deposits, Reduce Opening Balance Requirements, and Eliminate Cash Payment Network Fees and RM3 Toll Increase: Conduent State and Location Solutions, Inc. (\$150,000)

This item includes work to support the policy changes described above as well as system changes needed to support the January 1, 2022, RM3 toll increase. The change order includes system changes, website changes, correspondence and reporting modifications, testing and deployment. This change order also includes crediting existing tag deposits above the new reduced amounts back to the customer's account to be used as prepaid tolls. The estimated cost of this change order is \$150,000.

Attachment A-2 includes a summary of Conduent and its project team's small business and disadvantaged business enterprise status.

Future Policy Assessments

The policy changes approved in October and those being proposed today are still just the beginning. Staff is assessing a number of other policies for future changes throughout the first three quarters of 2022. Part of assessing proposed changes is to develop guiding principles for the proposed changes. For example, meaningful change and fairness are two concepts for principles. In addition, staff needs to look at what a new operationalized policy would look like. For example, how should staff take proposals on paper to real life? How should this work be prioritized among other ongoing work and Commission priorities?

A number of factors will need to be taken into consideration as staff conducts assessments of potential changes: funding, impact on revenue, legal implications, contractual issues, privacy and data security issues, impact on other California tolling agencies, and of course, feedback from

and impact on Equity Priority Communities. Staff also will need to establish baselines and monitor changes to determine if the policy changes implemented have been successful.

Ultimately, the goal of the Equity Action Plan is to best serve Equity Priority Communities.

The next batch of policies staff is reviewing include the following, along with sample questions that staff will need to answer:

- Extended payment periods: Staff will be exploring the feasibility of extending payment periods for all customers. How long should the extension period be? How would this change affect revenue collection?
- Financial hardship claims: This would allow people to petition for relief from penalties/fees due to financial hardship. How can such a change provide relief to the people who need it most? How is “hardship” defined?
- Payment plans for accrued toll penalties and fees: A payment plan would be based on income eligibility. If it applies to those meeting income requirements, how would eligibility be verified? Who would be responsible for collecting payments? These and other issues will need to be explored, and staff will return to this Committee on a regular basis to provide updates and seek approval on proposed policy changes.

Recommendations:

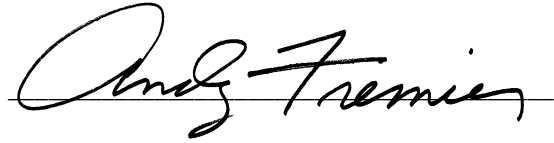
i. Staff recommends that this Committee refer BATA Resolution No. 52, Revised, to the Authority for approval to reduce toll tag deposits, reduce minimum opening balance requirements, and eliminate cash payment network fees effective March 31, 2022, as described above.

ii. Staff recommends that the Committee authorize the Executive Director or designee to negotiate and enter into a Contract Change Order with Conduent in an amount not to exceed \$150,000 to implement FasTrak® Regional Customer Service Center policies and support the January 1, 2022 RM3 toll increase as described above.

Attachments:

- Attachment A-1 – BATA Resolution No. 52, Revised

- Attachment A-2 – Conduent State and Local Solutions, Inc. Small Business and Disadvantaged Enterprises Status

A handwritten signature in black ink, reading "Andrew B. Fremier", written over a horizontal line.

Andrew B. Fremier

Date: July 28, 2004
W.I.: 1252
Referred by: BATA Oversight
Revised: 07/26/06-BATA 10/24/12-BATA
07/27/16-BATA 02/28/18-BATA
09/23/20-BATA 10/27/21-BATA
11/17/21-BATA

ABSTRACT

BATA Resolution No. 52, Revised

This resolution adopts the FasTrak® Regional Customer Service Center Policies, effective May 30, 2005, for the state-owned toll bridges in the Bay Area.

Attachment A to this Resolution was revised on July 26, 2006 to revise the policies for toll tag deposit and prepaid toll balances for the FasTrak® program, effective October 1, 2006.

Attachment A to this Resolution was revised on October 24, 2012 to amend the policies to add license plate and one-time payment accounts and to delete the commercial post-paid account from the FasTrak® program, effective December 8, 2012 or upon commencement of Golden Gate Bridge Highway and Transportation District All Electronic Toll Collection Program.

This resolution was revised on July 27, 2016, to clarify that the FasTrak® Regional Customer Service Center Policies are applicable to all facilities served by the FasTrak® Regional Customer Service Center. Attachment A to this Resolution was also revised on July 27, 2016 to update the minimum balance for License Plate and One Time Payment Accounts and to make other clarifying changes.

Attachment A to this Resolution was revised on February 28, 2018 to amend the policies to increase the California Department of Motor Vehicles (DMV) Hold fee consistent with DMV fee increases.

Attachment A to this Resolution was revised on September 23, 2020 to amend the policies to authorize post-paid license plate toll invoices for state-owned bridges upon commencement of All Electronic Tolling at state-owned bridges and include information about the cash payment network.

Attachment A to this Resolution was revised on October 27, 2021 to amend the policies to reduce the violation penalties for violations on the state-owned bridges, effective January 1, 2021 and to clarify existing practices. Reduced penalties may apply to other toll facilities, if adopted by their respective agencies .

Attachment A to this Resolution was revised on November 17, 2021 to amend the policies effective March 31, 2022 to reduce the tag deposit, reduce the pre-paid toll account opening balance for accounts funded by cash or check, and have agencies absorb cash payment network convenience fees for FasTrak[®] account replenishments and violation notice payments on behalf of customers, and also revised to make clarifying edits.

Further discussion of this resolution is contained in the Executive Director's memoranda dated July 7, 2004; July 5, 2006, October 3, 2012, July 6, 2016, February 7, 2018, September 9, 2020, October 13, 2021 and November 10, 2021.

Date: July 28, 2004
W.I.: 1252
Referred by: BATA Oversight
Revised: 07/27/16-BATA

Re: Adoption of the FasTrak® Regional Customer Service Center (RCSC) Policies, effective May 30, 2005, for the state-owned toll bridges in the Bay Area, as revised for all facilities served by the RCSC

BAY AREA TOLL AUTHORITY
RESOLUTION No. 52, Revised

WHEREAS, Streets and Highways Code Sections 30950 *et seq.* created the Bay Area Toll Authority (“BATA”); and

WHEREAS, Streets and Highways Code §§ 30950 *et seq.* transfers to BATA certain duties and responsibilities of the California Transportation Commission (“CTC”) and California Department of Transportation (“Caltrans”) for the toll bridges owned and operated by Caltrans in the San Francisco Bay Area; and

WHEREAS, in accordance with Streets and Highways Code § 30950.2, BATA is responsible for programming, administering, and allocating all toll revenues, except revenues from the seismic retrofit surcharge, from state-owned toll bridges within the jurisdiction of the Metropolitan Transportation Commission; and

WHEREAS, Bay Area bridges are defined in Streets and Highways Code § 30910 to include the Antioch, Benicia-Martinez, Carquinez, Richmond-San Rafael, San Francisco-Oakland, San Mateo-Hayward, and Dumbarton Bridges, and

WHEREAS, the California Department of Transportation (Caltrans) implemented electronic toll collection on all Bay Area state-owned toll bridges on December 31, 2000, and

WHEREAS, pursuant to the BATA-Caltrans Cooperative Agreement dated July 1, 2004, Caltrans delegated to BATA certain responsibilities related to the administration of the electronic toll collection program, and

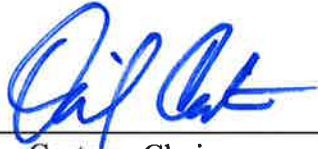
WHEREAS, BATA and the Golden Gate Bridge Highway and Transportation District entered into a Cooperative Agreement on August 26, 2003 to consolidate FasTrak™ Service Center operations, and

WHEREAS, the consolidated Regional Customer Service Center requires a common set of operating policies, and

WHEREAS, BATA has contracted and will contract to provide other entities and toll facility operators, including those operating express lanes, with some or all of the services of its consolidated Regional Customer Service Center; now, therefore, be it

RESOLVED, that BATA hereby adopts the FasTrak™ Regional Customer Service Center Policies, effective May 30, 2005, as revised, as set forth in Attachment A to this Resolution, and incorporated herein as though set forth at length.

BAY AREA TOLL AUTHORITY



Dave Cortese, Chair

The above resolution, revising and superseding the resolution approved on July 28, 2004, was entered into by the Bay Area Toll Authority at a regular meeting of the Authority held in San Francisco, California, on July 27, 2016.

Date: July 28, 2004
W.I.: 1252
Referred by: BATA Oversight
Revised: 07/26/06-BATA 10/24/12-BATA
07/27/16-BATA 02/28/18-BATA
09/23/20-BATA 10/27/21-BATA
11/17/21-BATA

Attachment A
Resolution No. 52
Page 1 of 4

**FasTrak® Regional Customer Service Center (RCSC) Policies,
effective December 8, 2012 on the
San Francisco Bay Area State-Owned Toll Bridges, as revised for all
facilities served by the RCSC**

Attachment A



Regional Customer Service Center Policies effective December 8, 2012, as revised on November 17, 2021

	Policy	Regional CSC effective December 8, 2012, as revised on November 17, 2021
1.	General	
2.	Terms & Conditions	Regional CSC license agreement
3.	Privacy Policy	Regional CSC privacy policy
4.	Account types	
5.	Prepaid Accounts	- Private, Business, Non-revenue, Anonymous
6.	Commercial Post Paid Accounts	Deleted
7.	License Plate Account	Yes
8.	One Time Payment	Yes
9.	Account policies	
10.	Prepaid Toll Account Opening Balance	Credit Card Account - \$25 per tag Cash/check Account- \$50 per tag – reduced to \$25 per tag, effective 3/31/2022 N/A for License Plate Account and One Time Payment
11.	Replenishment Amount	Private: Credit card - \$25 per tag min. Cash/check - \$40 per tag min. or 1-month average based on previous 90 days usage Business: Credit card - \$25 per tag min. Cash/check - \$40 per tag min. or 45-day average based on previous 90 days usage N/A for License Plate Account and One Time Payment
12.	Replenishment Threshold	Credit Card Account - \$15 min. or 2-week average use based on previous 90 days Cash/check Account - \$30 min. or 2-week average use based on previous 90 days N/A for License Plate Account and One Time Payment
13.	License Plate Account and One Time Payment Minimum Balance	Credit card – Charged to credit card Cash/check - \$7.25 or current toll rate on GGB for 2 axle vehicle
14.	Tag Deposit	Credit Card Account - \$20 per tag, waived for first 3 tags – reduced to \$5 per tag, waived for first 3 tags, effective 3/31/2022 Cash/check Account - \$20 per tag – reduced to \$5 per tag, effective 3/31/2022 N/A for License Plate Account and One Time Payment

Attachment A



Regional Customer Service Center Policies effective December 8, 2012, as revised on November 17, 2021

	Policy	Regional CSC effective December 8, 2012, as revised on November 17, 2021
15.	Max number of tags	None
16.	Lost/stolen tags maximum liability	\$0 after notification, No maximum
17.	Low Balances	Credit Card Account - Automatic replenishment Cash/check Account - Send notice requesting replenishment; In-lane display shows low balance message
18.	Account Suspension	Immediate tag suspension when account balance is less than zero
19.	Account Revocation	Negative Balance for 90 days OR No activity for one year
20.	One Time Payment Account Closure	Limited term – account closed after 30 days Balance not refundable
21.	Reciprocity	
22.	Toll Discounts apply to customers of other toll facilities	Yes
23.	Guarantee of tolls to other toll agencies based on Regional CSC tag and plate files	Yes
24.	Account fees	
25.	Additional Statement Fee	1. \$1 for monthly paper statements 2. \$1 statement regeneration 3. \$7 for disk (business and commercial accounts only)
26.	Bad Check Fee	\$25
27.	Tag Replacement Charges	\$20 interior – reduced to \$5, effective 3/31/2022 \$20 exterior – reduced to \$5, effective 3/31/2022
28.	Infrequent User Fee	None.
29.	Account Maintenance Fee	None.
30.	Tags Fees/Sales	None.
31.	Post Paid License Plate Toll Invoices	Golden Gate Bridge and state-owned bridges

Attachment A



Regional Customer Service Center Policies effective December 8, 2012, as revised on November 17, 2021

	Policy	Regional CSC effective December 8, 2012, as revised on November 17, 2021
32.	Violation Policies	
33.	Toll Evasion	<p><u>All Violations</u></p> <p>1st Notice Toll + \$25 penalty</p> <p>2nd Notice Toll + \$70 penalty</p> <p><u>Reduced violation penalties on state-owned bridges, effective January 1, 2021:</u></p> <p>1st Notice Toll + \$5 penalty</p> <p>2nd Notice Toll + \$15 penalty</p> <p>Reduced penalties may apply to other toll facilities, if adopted by their respective agencies.</p> <p>Exceptions:</p> <ol style="list-style-type: none"> 1. If the violation is determined to be the fault of the toll agency. 2. For 1st time offense, a non-customer can open a FasTrak® account prior to DMV registration hold or collections and the penalty will be waived. 3. For FasTrak® account holders in good standing, toll-only will be posted to the account balance. If the account balance is less than the amount of the toll, the account balance must be brought to the replenishment threshold amount prior to posting the violation toll amount. <p>Processing fee of \$3 for DMV registration holds or as otherwise set by the DMV, when applicable.</p>
34.	Cash Payment Network	

	Policy	Regional CSC effective December 8, 2012, as revised on November 17, 2021
35.	Electronic Toll Collection Payment Locations	Toll payment can be made at the FasTrak® Regional Customer Service Center, by mail and by the internet. For cash customers, toll payments can also be made via a network of cash payment locations. A list of available walk-in centers can be found on the Bay Area FasTrak® website, http://www.bayareaFasTrak.org . BATA, Golden Gate Bridge Highway and Transportation District, and other entities and toll facility operators supported by the FasTrak® Regional Customer Service Center will absorb the cost of convenience fees for One-Time Payments, Invoice payments, and License Plate Account replenishment and, effective 3/31/2022, for FasTrak® Account replenishment and Violation Notice payments until further notice.

Attachment A-2

Conduent State & Local Solutions, Inc., Small Business and Disadvantaged Business Enterprise Status

			DBE* Firm			SBE** Firm		
	Firm Name	Role on Project	Yes	DBE #	No	Yes	SBE #	No
Prime Contractor	Conduent	System Development and Operations			X			X
Subcontractor	Atos	Network Management			X			X
Subcontractor	CCS	3 rd Party Call Center			X			X

*Denotes certification by the California Unified Certification Program (CUCP).

**Denotes certification by the State of California.

Request for Committee Approval

Summary of Proposed Contract Change Order

Work Item No.: 1252

Consultant: Conduent State and Local Solutions, Inc. (Conduent)
San Francisco, CA

Work Project Title: FasTrak® Regional Customer Service Center

Purpose of Project: Support changes to FasTrak® customer policies.

Brief Scope of Work: Provide system and operations support for reducing tag deposit and pre-paid toll deposit, eliminating cash payment network fees and supporting RM3 toll increase.

Project Cost Not to Exceed: This Change Order: \$150,000

Current contract amount before this Change Order: \$375,339,614

Maximum contract amount after this Change Order: \$375,489,614

Funding Source: BATA Toll Bridge Program Operating Funds

Fiscal Impact: Funds included in the FY 2021-22 Toll Bridge Program Operating Budget.

Motion by Committee: That the Executive Director or designee is authorized to negotiate and enter into a contract change order with Conduent for services as described above and in the BATA Oversight Committee Summary Sheet dated November 10, 2021, and that the Chief Financial Officer is authorized to set aside \$150,000 for such contract change order.

BATA Oversight Committee:

Amy Worth, Chair

Approved: November 10, 2021



BAY AREA TOLLING EQUITY ACTION PLAN

November 10, 2021

**Bay Area Toll Authority Oversight
Committee**

A photograph of a family of four sitting in the back of a car. The father is in the foreground on the right, smiling. The mother is in the center, smiling broadly. Two children are on the left, also smiling. The entire image is overlaid with a blue tint.

EQUITY ACTION PLAN RECAP

OCTOBER KEY TAKEAWAYS

- Penalties and fees debt can grow to unaffordable levels and customers need options to resolve issues and manage the debt
- Deliberate efforts must be made to engage priority communities on policies
- Policies need to urgently focus on getting to those who need the most help
- Quantifying the cost of policy programs will balance the value/benefit
- Baselined data will drive decisions and provide a foundation for evaluation
- Streamlined customer experiences and communications are critical factors



TODAY'S COMMITTEE ACTIONS



REFER TO AUTHORITY: RESOLUTION 52, REVISED

- **Priority: Make FasTrak® more affordable**
- **Priority: Move people away from violations**

REFER TO AUTHORITY: RESOLUTION 52, REVISED

- **Revised policies related to opening a FasTrak account (scheduled effective 3/31/22)**
 - Reduce tag deposit to \$5
 - Reduce account opening balance for cash users to \$25
- **Revised policy on Cash Payment Network fees**
 - Eliminate fees

APPROVAL: CONDUENT CHANGE ORDER

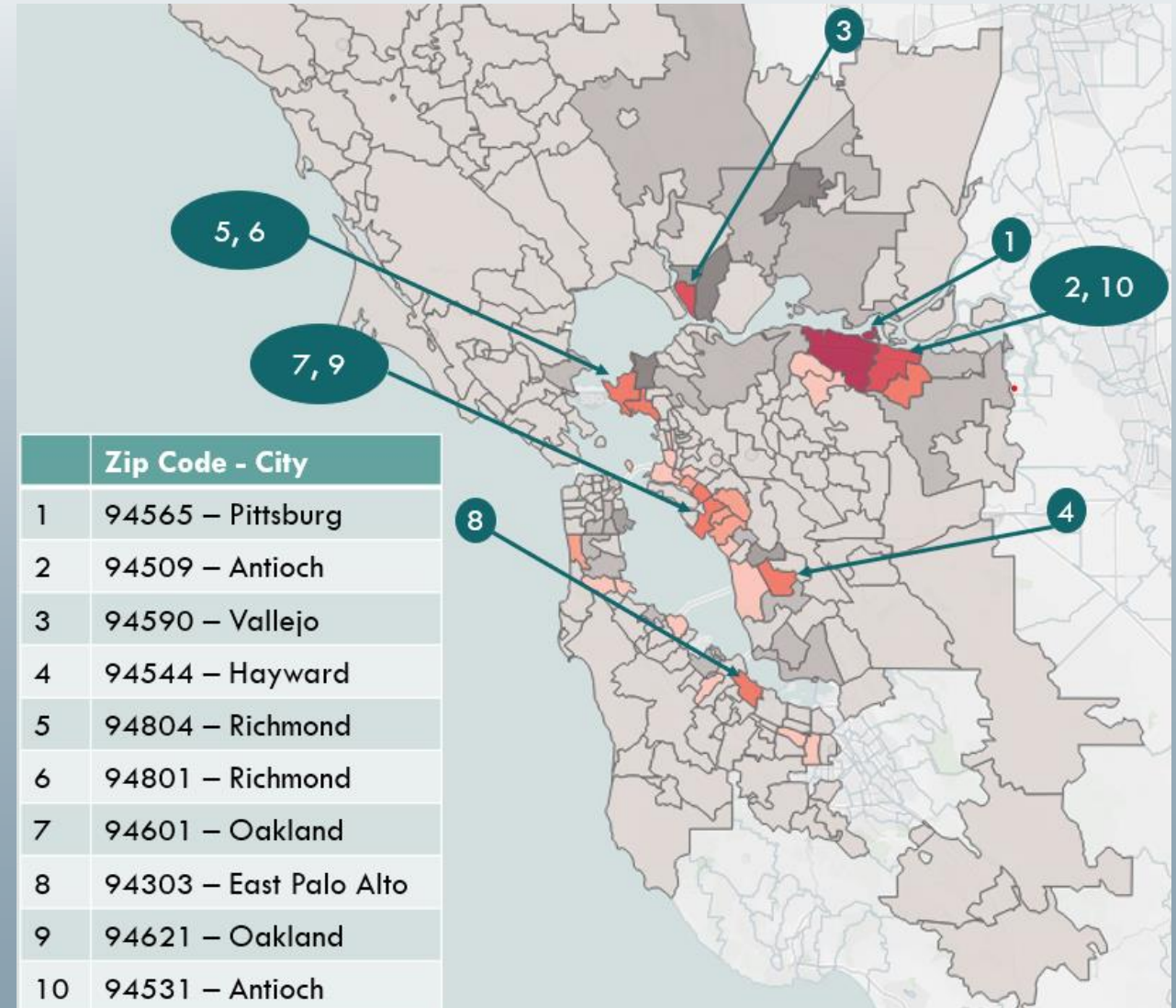
- **Contract Change Order for \$150,000 to update costs associated with reducing tag deposit, reducing opening balance and eliminating cash network fees.**
 - System changes
 - Website changes
 - Correspondence
 - Reporting modifications
 - Testing
 - Deployment
 - Tag deposit credit process



FUTURE ACTIONS

FOCUS AREAS

- Between January and April 2021, about 58% of the invoices sent were to a Bay Area address.
- About half of those invoices were paid, but the other half received a violation.
- Of those that received violations, 33% were sent to an address in one of MTC's Equity Priority Communities.



MTC/BATA data from January and April 2021, as of August 2021

PRIORITIZING ACTIONS

- Initial Actions
 - This Month: Proposed **Affordability** Changes
 - Reduce tag deposits to \$5 per tag
 - Reduce the opening balance for cash/check accounts to \$25
 - Eliminate cash payment network fees for customers
 - Last Month: Making it More **Accessible**
 - Violation penalty reductions
 - Launch mobile app
 - Increase support for multiple languages
 - Enhance Cash Payment Network
- Next Batch of Assessments
 - Extended payment due dates
 - Hardship claims
 - Payment plans

APPROACH TO ASSESSING POLICY OPTIONS

- Guiding Principles for Program Development
 - Meaningful and impactful change for equity priority communities
 - Fairness to all customers
 - Protection from fraud/abuse
 - Balance of cost and value
- Operationalized Policy
 - How to prioritize among other work?
 - How will it go from paper to real-life?
 - What are the potential/untended pitfalls and challenges that can be avoided?
 - How can the vision of operations inform the formation of sound policies?

ASSESSMENT CONSIDERATIONS

Considerations	Key Questions
Funding	How much will this change or new program costs? What will be the funding source?
Impact on Revenue	What impact will this have on revenue? How much might potentially be lost?
Legal	What are the legal implications? Will this change require changes to legal documents or legislative changes?
Contractual Issues	Will this require a change to an existing contract or need a new contract?
Privacy/Data Security	Does the change have privacy or data security implications?
Customer impact	What is the impact of this change on existing and potential new customers?
Other CA Toll Agencies	What impact does this change have on other CA toll agencies?
Input from Equity Priority Communities	What input did we get from the priority communities about this change?

SAMPLE POLICY: EXTENDED PAYMENT PERIODS

- **Concept:** Allow everyone more time to pay to fit their cashflow
- **Sample Guiding Principles Questions:**
 - How long should the extension period be to be impactful?
 - How would customers benefit from the additional amount of time?
- **Sample Operationalized Policy Questions:**
 - Does this impact revenue collection?
 - Do policies need to be regional?

SAMPLE POLICY: FINANCIAL HARDSHIP CLAIMS

- **Concept:** Allow people to petition for relief of penalties/fees debt due to hardship
- **Sample Guiding Principles Questions:**
 - How will hardship policies be administered to ensure the people who need it the most can benefit?
 - What measures should be put into place to ensure fairness and impartiality?
- **Sample Operationalized Policy Questions:**
 - How is “hardship” defined?
 - Who will manage and oversee the hardship cases?

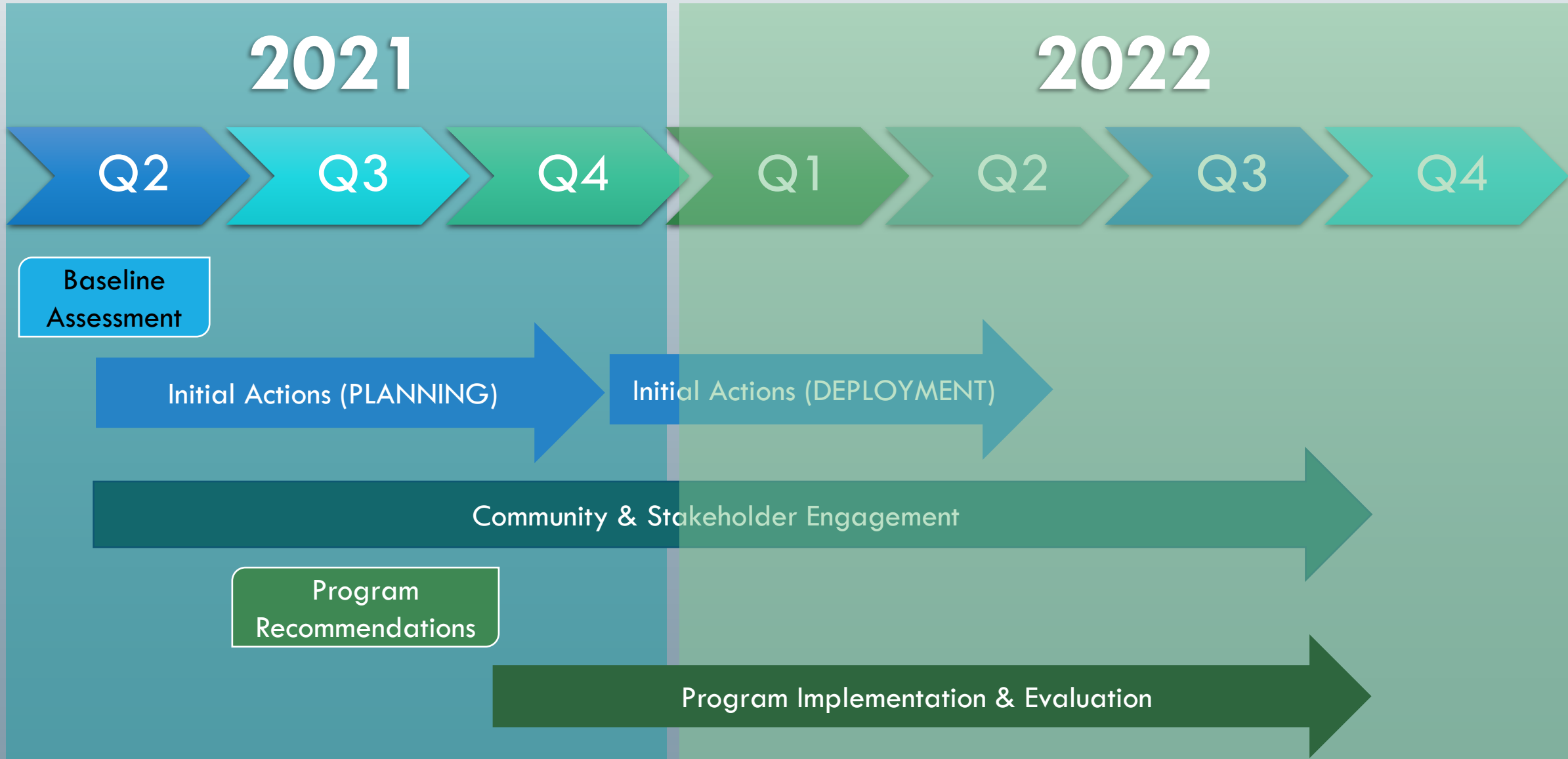
SAMPLE POLICY: PAYMENT PLANS

- **Concept:** Provide payment plans for those with substantial toll debt
- **Sample Guiding Principles Questions:**
 - What type of payment plan(s) will benefit the maximum number of people in need of toll debt relief?
 - Who qualifies for the program?
- **Sample Operationalized Policy Questions:**
 - How will the number and amount of the payments be determined to allow people to affordably pay down debt?
 - What happens to customers who need to continue to use the toll facilities?

BAY AREA TOLLING EQUITY ACTION PLAN TIMELINE



16

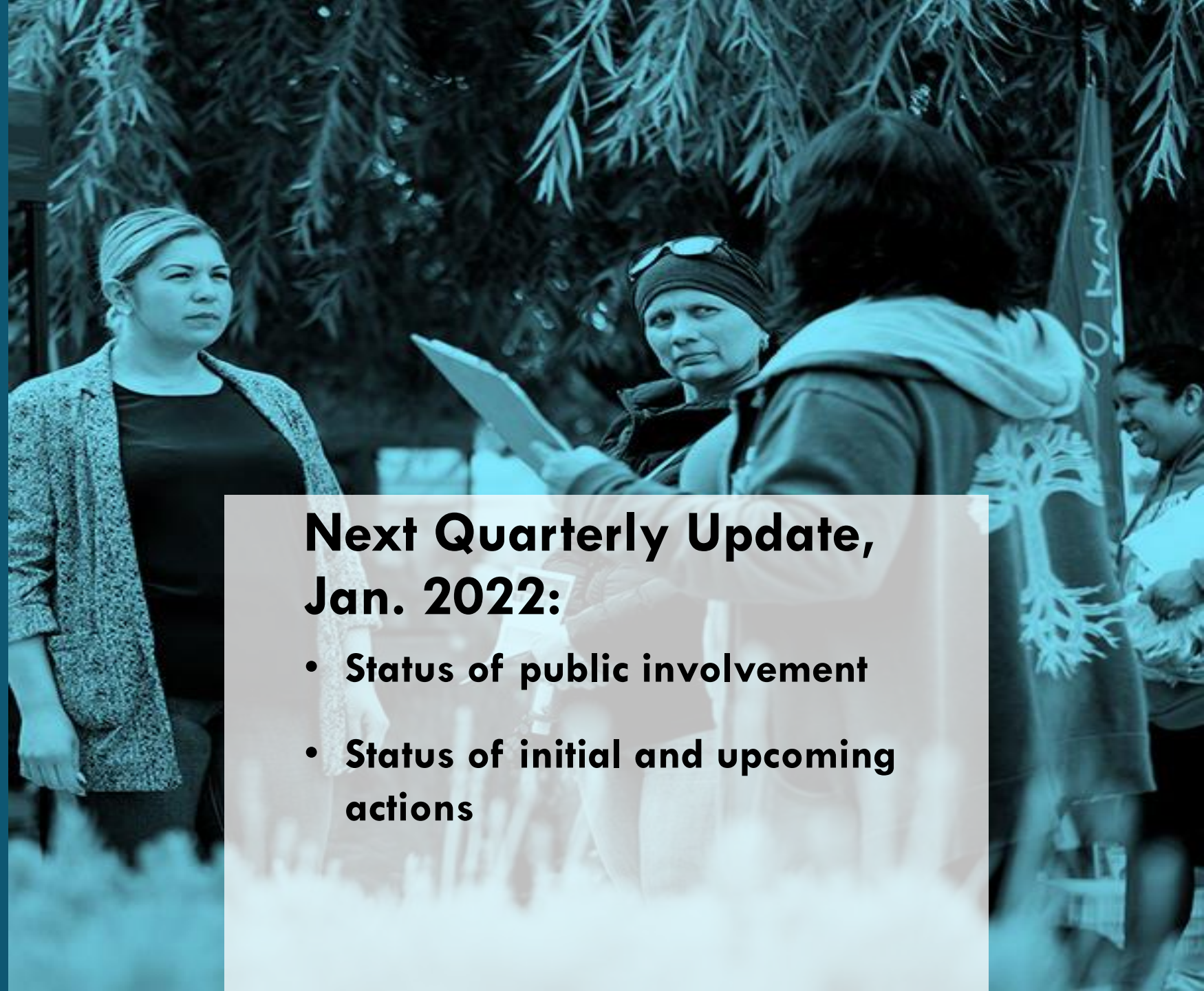


NEXT STEPS

- Establish evaluation baselines
- Procure community engagement consultant
- Continue policy review for additional changes

Next Quarterly Update, Jan. 2022:

- Status of public involvement
- Status of initial and upcoming actions



QUESTIONS?



From: Jacob Denney

Sent: Monday, November 8, 2021 12:38 PM

To: Therese W. McMillan <tmcmillan@bayareametro.gov>; Alfredo Pedroza <Alfredo.Pedroza@countyofnapa.org>; Amy Worth <aworth@cityoforinda.org>

Subject: Recommendations on equity in bridge toll systems

External Email

Good afternoon,

On behalf of a coalition of Bay Area nonprofits, government entities, and philanthropic organizations, I submit the attached letter asking Commissioners and staff to continue to seek bold and transformational policies that would make MTC a national leader on promoting equity in tolling.

We would like to thank the BATA oversight committee and staff for the proposal and decision to reduce the fines and fees associated with unpaid toll violations, as well as the commitment to further evaluation of the toll systems. Your decisions will bring substantial relief to communities of color and lower-income communities across the Bay Area. Thank you for your leadership and your commitment to building an equitable Bay Area. The changes adopted at the October BATA oversight meeting are an important first step. We are excited about additional changes that are being contemplated and hope to work closely with Commissioners and staff to help build a truly equitable system.

Respectfully,
Jacob Denney

--

Jacob Denney (he/they)
Economic Justice Policy Director

[REDACTED]
[REDACTED]



Be inspired by the [2021 Silver SPUR Honorees](#) and **register for the free livestream** on Tuesday, November 9 from 3-4pm

SPUR

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The Honorable Therese McMillan
Executive Director
Metropolitan Transportation Commission
375 Beale St #800
San Francisco, CA 94105

The Honorable Amy Worth
Chair, BATA Oversight Committee
Metropolitan Transportation Commission
375 Beale St #800
San Francisco, CA 94105

The Honorable Alfredo Pedroza
Chair
Metropolitan Transportation Commission
375 Beale St #800
San Francisco, CA 94105

Cc: Metropolitan Transportation Commissioners

November 8, 2021

Re: Appreciation for progress on bridge toll fines and fees and ongoing support

Dear Executive Director McMillan, Chair Pedroza, and Chair Worth,

Thank you for your commitment to equity and your efforts to make the unpaid toll system less harmful for low-income people and people of color across the Bay Area. Your recent decision to reduce the total possible fines and fees from a total of \$70 to \$20 starting in January 2022 is a meaningful shift towards a more equitable and less punitive system. This change will bring substantial relief to hundreds of thousands of people across our region. We were gratified that both the MTC commissioners and staff described this action as a meaningful “first step” and that you will be advancing additional reforms. As the Commission looks to future changes in the pursuit of equity, we encourage you to continue to seek bold and transformational policies that would make the Commission a national leader on promoting equity in tolling.

As the Commission considers further updating their tolling equity policies, we would like to offer any assistance in identifying solutions to the problems we and the Commission have identified. As a coalition of researchers, government agencies, and nonprofit organizations that work with impacted communities throughout the Bay Area, we are well positioned to uplift the concerns of communities who are most impacted by the toll system and can connect the Commission with impacted drivers. Our coalition is also made up of technical and subject matter experts, and we are willing to meet with the Commission and staff to develop policies.

We want to share a list of the most important issues we recommend the MTC examine in the next phase of updates to the tolling equity policies. We believe that these changes are vital for building a truly equitable system. We recommend that the Commission:

- **End the use of DMV holds for people who cannot afford to pay their toll debts**
- **Eliminate the fee at second notice**
- **Establish no-fee payment plans for all unpaid toll related debts**
- **End fines for low-income people**
- **Commit to modernizing and improving the notification system, moving beyond the statutory requirements of mail notification**
- **Forgive all past fines and fees owed**

In the coming weeks we would like to meet with relevant Commissioners and staff to discuss the ways we can work together to further your efforts to develop an equitable tolling system. Jacob Denney (jdenney@spur.org) is taking the lead on coordinating our coalition, and can help organize a meeting with us.

The changes adopted at the October BATA Oversight meeting are an important first step. We are excited about additional changes that are being contemplated and hope to work closely with Commissioners and staff to help build a truly equitable system. This is an important opportunity for MTC to become a national leader on equitable tolling practices.

Sincerely,

ACLU Foundation of Northern California

All of Us or None

Anti Police-Terror Project

GLIDE

Insight Center for Community Economic Development

Lawyers' Committee for Civil Rights of the San Francisco Bay Area

San Francisco Foundation

San Francisco Taxpayers for Public Safety

SF Human Rights Commission

SPUR

The San Francisco Financial Justice Project

Young Women's Freedom Center

From: aleta dupree
Sent: Sunday, November 7, 2021 8:30 PM
To: MTC-ABAG Info <info@bayareametro.gov>
Subject: BATA Oversight Committee 20211110

External Email

Kim and Martha, with thanks, please forward this message to the BATA Oversight Committee for the Meeting of 10 November, 2021.

Good morning Chair Amy Worth and Members.

Aleta Dupree for the record. (she, her).

Today I bring you my thoughts concerning the work and mission of the BATA Oversight Committee.

First this. Much is happening in the toll collection space in this season. The New York State Bridge Authority has begun all electronic tolling on the third of its five Hudson River facilities, the Rip Van Winkle Bridge, on 1 November of this year. In Florida, on 8 November, the entire Florida's Turnpike mainline will commence all electronic tolling, something long awaited and watched for. Over time the old toll barriers will be removed, bringing about the ideal of true open road tolling.

I am in favor of your action items to be presented to you at this Meeting. In order to help more join the Fastrak program, various barriers and frictions need to be removed or at least reduced. I support the elimination of fees for making cash payments, BATA can certainly gain economies of scale by managing cash payment costs internally, rather than many individuals shouldering those costs on their own. It is my hope that as people move away from cash, that they can bring it to BATA and put it to work funding their Fastrak accounts.

I am in support of lowering the upfront fees for acquiring Fastrak transponders and the accompanying account deposits. Again, we want to make it easier for people to use Fastrak, which is really the ideal.

The work we are doing today at BATA is really only the beginning. There will be new technologies such as apps and in vehicle payment protocols, especially as we see a greater separation between vehicle use and ownership. Really all the Public wants is for a seamless customer experience that inspires confidence. And BATA is really about collecting the rightfully owed toll money, and nothing more. Our budget should not be predicated on fines and fees, but in timely collection of the basic toll revenues that all are expected to pay. The vast majority of bridge users intend to pay their tolls in a timely manner, and our systems need to make that as easy as possible, especially in the introductory phase.

With new things there will always be questions, and we have to do our level best in being able to give timely and accurate answers. The work of building a better BATA system needs to keep moving forward, and expeditiously so.

Thank you.