

Adoption: Proposed Bay Area Infrastructure Financing Authority Toll Facility Ordinance Amendment

Pierce Gould

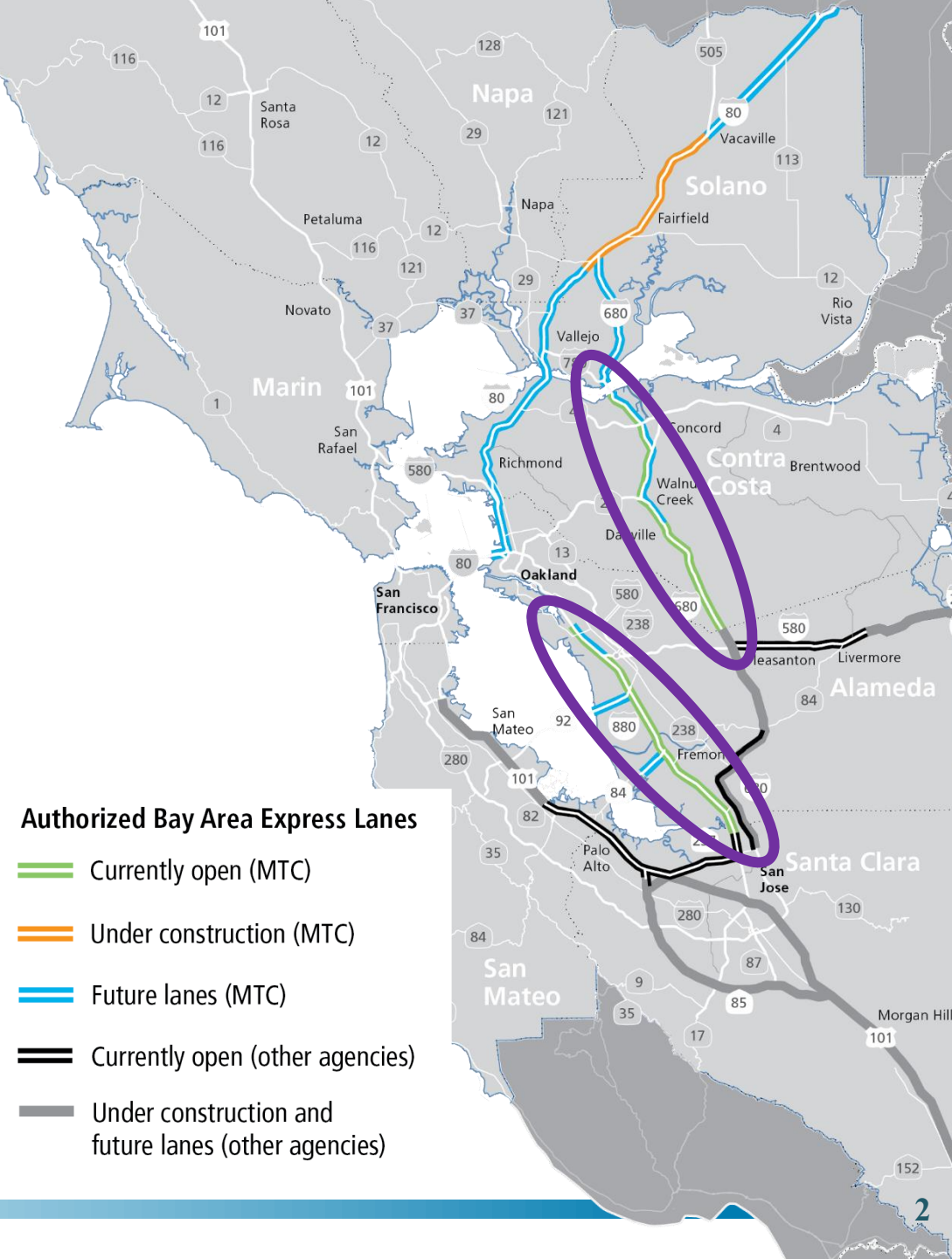
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June 22, 2022



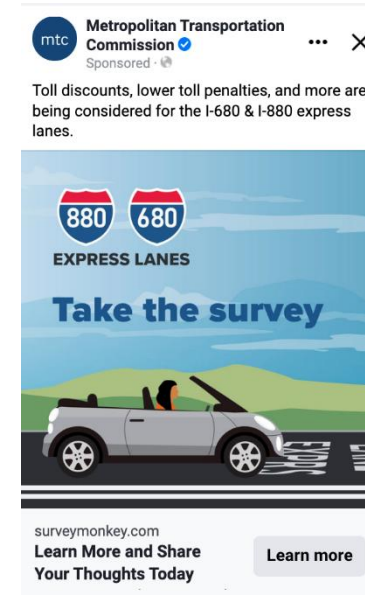
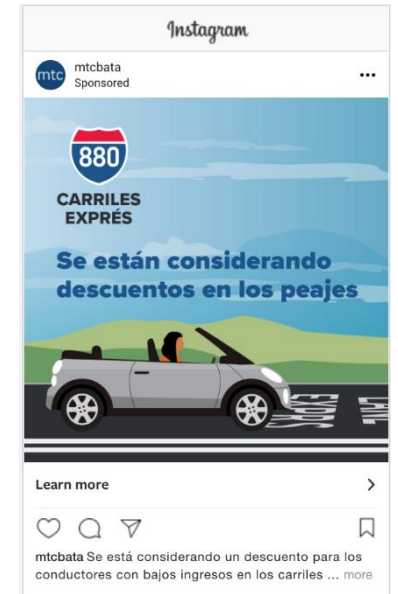
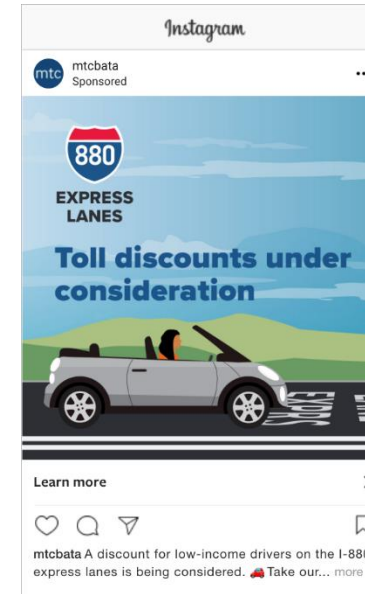
Toll Ordinance Overview

- Allows BAIFA to enforce toll violations on express lanes: I-680 in Contra Costa County and I-880 in Alameda County
- Documents BAIFA's toll policy in context of HOV policy
- Adopted July 2016 before I-680 opened; amended January 2020 to add I-880 and clean air vehicle tolling and September 2020 to extend I-680
- Today's action: adoption vote



Multilingual Public Outreach

- Public notices in 5 county newspapers, plus Spanish and Chinese newspapers
- MTC press release
- Information on [MTC website](#) including amendment text and fact sheets
- 511 website promotional advertisement
- Emails to local legislators, government and community-based organizations
- Paid Facebook and Instagram campaigns
- Encouraged public comment via survey



Proposed Changes to the Toll Ordinance

1. Enable tolling pilots in general
(Note: toll discount program pilot requires subsequent approval)
2. Allow modifications to violation penalty amounts and exceptions to penalties by board resolution
3. Define emergency authority
4. Other minor clean-up



Public Comment

Public Comment	English	Spanish	Chinese	Total
By Survey	1,328	194	222	1,744
By Email or In Person	3			3
Total	1,331	194	222	1,747

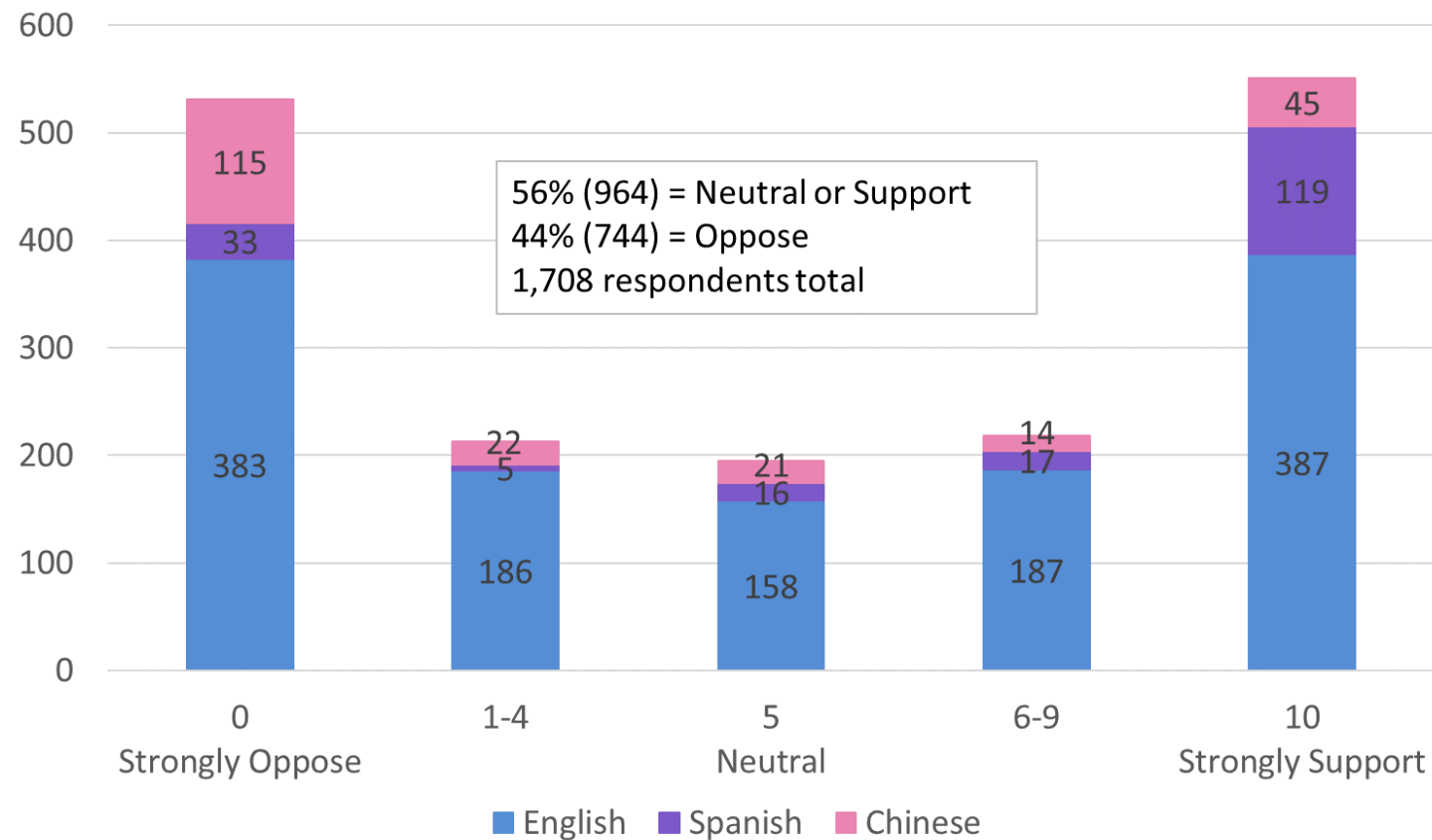
Comment Topic	English	Spanish	Chinese	Total
Tolling Pilots	596 (45%)	71 (37%)	71 (32%)	738 (42%)
Penalties by Resolution	395 (30%)	48 (25%)	21 (9%)	464 (27%)
Emergency Authority	309 (23%)	23 (12%)	17 (8%)	349 (20%)
Other	344 (26%)	30 (15%)	18 (8%)	392 (22%)
Total	1,644	172	127	1,943

Percents are relative to Total Public Comment and do not add to 100 because people commented on more than one topic.

Refer to list of all public comments at: www.mtc.ca.gov/express-lanes-policies

Change #1: Enable Tolling Pilots

How do you feel about offering a discount for low-income drivers on the I-880 Express Lanes for a trial period?



Language	Responses
English	1,301
Spanish	190
Chinese	217
Total	1,708

Public Comment on Tolling Pilots

Very few comments about general authority to conduct pilots.

Many comments focus on low-income toll discount pilot.

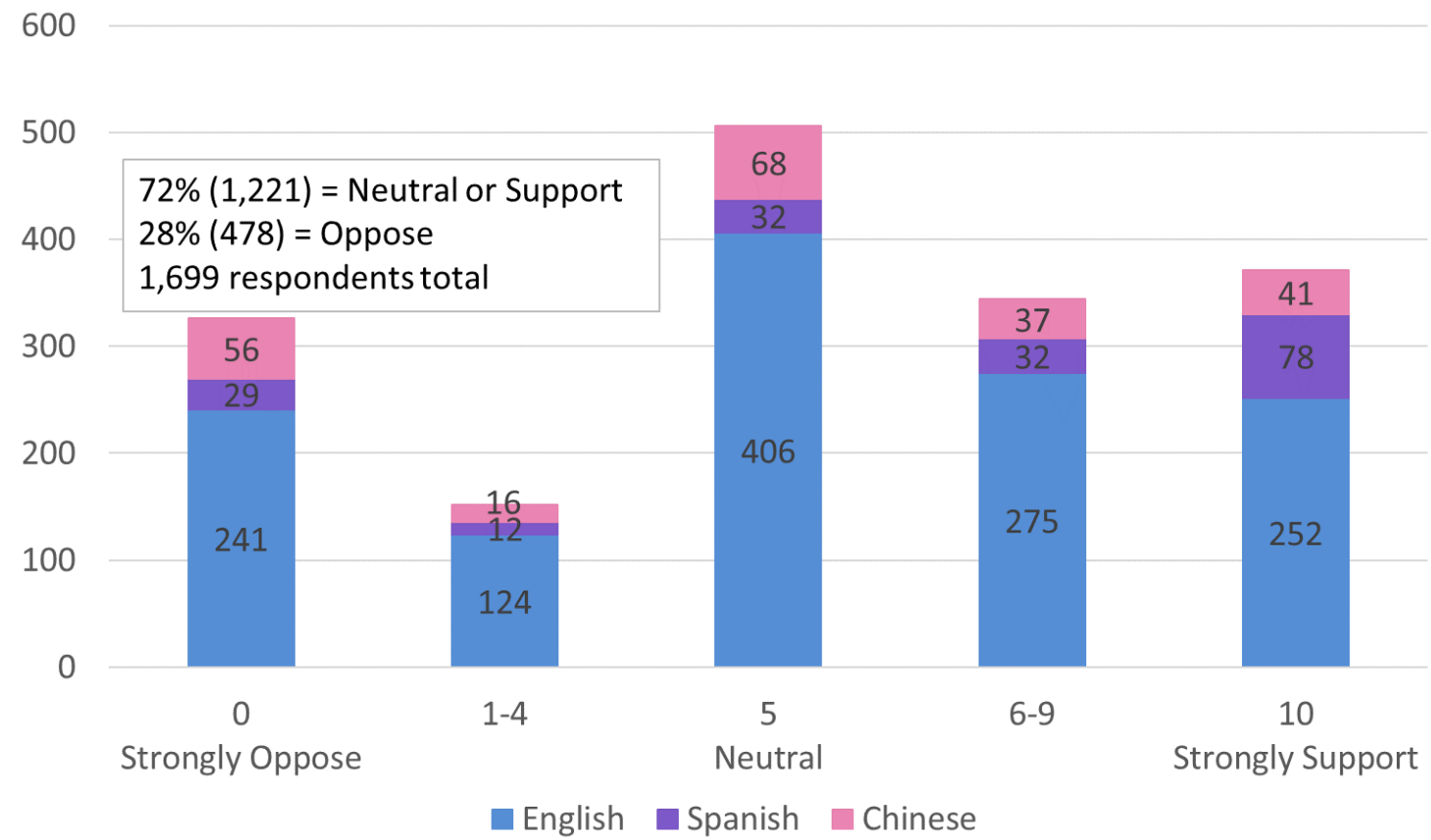
- Reasons to support: equity
- Reasons to oppose: anti-express lane tolls; treat everyone equal; potential fraud; impact on express lanes performance and tolls
- Ideas to change pilot: align income threshold with Bay Area cost of living; expand qualification beyond income

Staff position:

- Approve enabling pilots.
- Consider low-income toll discount pilot concerns in BAIFA agenda item 4d.

Change #2: Modify Penalties by Resolution

How do you feel about allowing future updates to toll violation penalty amounts and exceptions to be made by board resolution at a public meeting?



Language	Responses
English	1,298
Spanish	183
Chinese	218
Total	1,699

Public Comment on Penalties by Resolution

Follow a public process including public outreach and options to weigh in.

Opinions mixed on if toll violation penalties should be lowered.

- High penalties to discourage cheating vs. low or income-based penalties for equity
- Forgive first-time offenders

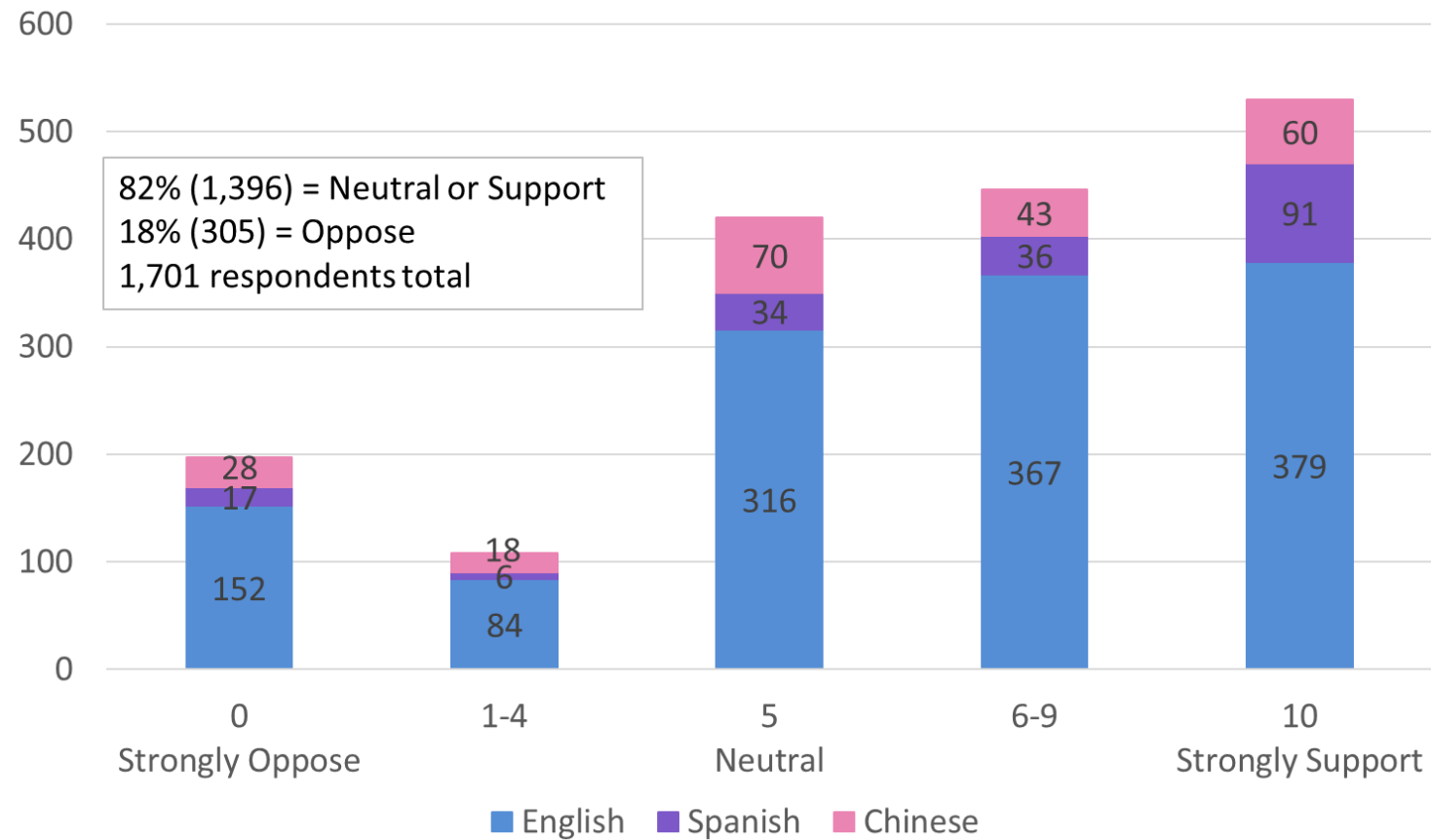
Improve enforcement (mis-setting toll tags; avoiding toll gantries; crossing double-lines).

Staff position:

- Approve allowing changes to penalty amounts and exceptions by resolution, a public process.
- Consider penalty reduction in future BAIFA action.

Change #3: Define Emergency Authority

How do you feel about defining the BAIFA executive director’s authority to respond to emergencies?



Language	Responses
English	1,298
Spanish	184
Chinese	219
Total	1,701

Public Comment on Emergency Authority

Define 'emergency'.

Set limits on Executive Director authority.

Cease tolling and open express lane in an emergency.

Staff position:

- Proposed ordinance text already defines 'emergency' and sets limits on Executive Director authority.
- Approve emergency authority.

Other Public Comment

Opposition to express lanes.

- Reasons: double-taxation; cause traffic; benefits the wealthy; carpools only

Return to past carpool lane hours (peaks only) and occupancy (HOV2+, not 3+).

Lower express lanes tolls.

Fix technology, lane design and customer service issues.

Build new freeway lanes, not convert existing lanes to express lanes.

Staff position:

- Refer to Attachment C for staff responses.

Toll Ordinance Amendment Schedule

- Public comment from April 20 to May 24
- Public hearing on May 25
- Recommendation: Adopt amended ordinance on June 22
- If approved, amended ordinance would take effect after 30 days
- More information at mtc.ca.gov/express-lanes-policies

