

**Metropolitan Transportation Commission**  
**Policy Advisory Council**

**March 25, 2025**

**Agenda Item 6a**

**Proposed Bay Area Infrastructure Financing Authority (BAIFA) Toll Facility Ordinance  
Amendment**

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**Subject:**

Overview of proposed changes to BAIFA’s existing Toll Facility Ordinance to prepare for tolling on BAIFA’s Interstate 80 (I-80) Express Lanes in Solano County, as well as the public hearing and outreach processes staff will follow prior to BAIFA’s action on the changes.

**Background:**

BAIFA is a joint powers authority of the Metropolitan Transportation Commission (MTC) and the Bay Area Toll Authority (BATA) that oversees the high occupancy toll lanes (also called express lanes), operated by MTC. Through an application to the California Transportation Commission (CTC), BAIFA has been authorized to develop and operate multiple express lane corridors in Contra Costa, Alameda, and Solano Counties. In July 2016, BAIFA adopted a toll ordinance, as required by statute, so that it could collect tolls and enforce toll violations on BAIFA toll facilities. The Interstate 680 (I-680) Express Lanes in Contra Costa County was the first such toll facility. The BAIFA toll ordinance ensures that tolling ‘rules of the road’ are transparent for the public and include BAIFA’s toll violation penalties and procedures. Since its initial adoption, BAIFA has amended the toll ordinance three times, in January 2020, September 2020, and June 2022, to add new corridors and adjust Express Lanes toll policies. BAIFA will need to amend its toll ordinance again in 2025 to include the I-80 Express Lanes in Solano County prior to the start of tolling on that corridor later this year; other updates relate to the minimum toll and the possible expiration of the Clean Air Vehicle (CAV) discount in fall 2025.

**New Express Lanes on I-80 in Solano County:**

BAIFA has partnered with the Solano Transportation Authority and Caltrans to develop Express Lanes on I-80 in Solano County by converting existing High Occupancy Vehicle (HOV) lanes to express lanes between Red Top Road in Fairfield and Air Base Parkway in Fairfield and building new express lane segments between Air Base Parkway in Fairfield and the Interstate 505 Interchange in Vacaville. Civil construction activities are now wrapping up, and the lanes will be

open as HOV lanes throughout the summer while the toll system equipment is installed and tested. Tolling operations are scheduled to begin in the fall of 2025. Following the standard interagency consultation process between BAIFA, Caltrans, and the California Highway Patrol (CHP) through the Managed Lanes Committee, BAIFA and Caltrans expect to set the following operating policies:

- Hours of operation (Caltrans authority) - 5 am to 8 pm, a change from existing HOV lane hours from 5-9 am and 3-7 pm; and
- HOV eligibility (BAIFA authority) - 3 or more persons, change from existing HOV lane eligibility of 2 or more persons on the existing HOV lane.

Currently, in the Bay Area, Express Lanes and HOV Lanes operate on weekdays only (Monday through Friday), whereas Southern California operates seven days a week. BAIFA and Caltrans are partnering on developing a pilot to evaluate tolling to mitigate the increasing weekend congestion and with the knowledge that weekend tolling is also under consideration for the express lanes under development on I-80 in Yolo County. Upon adoption of the amended toll ordinance, BAIFA would need to vote to authorize the weekend tolling pilot, so that it could begin at the opening of the Express Lanes. The other Bay Area express lanes operators have expressed support for this pilot.

Proposed tolling policies for the I-80 Express Lanes will mirror those of other HOV3+ Bay Area Express Lanes:

- Carpool discounts – Solo drivers would pay the full toll. Vehicles with two persons and Clean Air Vehicles (CAVs) would receive a 50% discount, as long as the federal law that allows for the CAV discount remains in effect. (It is currently scheduled to sunset September 30, 2025). Eligible HOVs with three or more persons would pay no toll.
- FasTrak® required - All vehicles would be required to have FasTrak accounts, including 3+ carpools and vehicles eligible for reduced tolls.

- Enforcement and Toll Violation Penalties - Toll enforcement would be automated using license plate cameras as on other express lanes statewide. Vehicles without a FasTrak account will be subject to a violation notice. Toll violation penalties would be equivalent equal to those charged on all Bay Area Express Lanes, currently \$10 for the first notice and \$20 for the second notice, for a total of up to \$30 per violation. CHP would enforce vehicle occupancy requirements and address violations of other traffic laws, such as missing license plates or unsafe lane changes.

As approved at the February 26 BAIFA meeting, staff is developing a recommendation for a future BAIFA action to add the I-80 corridor to the existing Express Lanes START<sup>SM</sup> pilot program, which currently offers discounted tolls on I-880 to eligible low-income households, as well as preparing the necessary technical changes. Upon adoption of the amended toll ordinance, BAIFA would need to vote to expand the pilot program to offer the discount on the I-80 Express Lanes.

**Other Proposed Changes to Toll Ordinance:**

In addition to updating the toll ordinance to include the new I-80 Express Lanes, BAIFA will be asked to make several other changes to the toll ordinance to keep its policies and procedures up to date:

- Increase the allowable timeframe and parameters for pilot projects on express lanes beyond the current limit of three years.
- Increase the minimum toll per zone to \$0.75 from \$0.50 for all BAIFA Express Lanes. The minimum toll is the toll when there is the least or no congestion, and the increase ensures that each such transaction covers the transaction cost.
- Clarify that the CAV discount will end September 30, 2025, at the sunset of existing federal law regarding CAV usage of carpool lanes without the qualifying number of occupants unless the law is amended prior to that date.
- Adjust the boundaries of the toll zones on southbound I-680 to reflect the closure of the gap between BAIFA's and Alameda County Transportation Commission's express lanes on I-680.

**Formal Amendment Process and Planned Public Outreach:**

Adoption of the toll ordinance amendment includes a public process. Staff plans the following approach and schedule, based on statutory requirements and MTC's Public Participation Plan, subject to feedback from the Council:

- 30-day public comment period planned to start April 9, 2025, following newspaper publication of BAIFA's intent to amend its toll ordinance;
- Website information about the toll ordinance amendment and options for providing comments to BAIFA;
- Press release, targeted digital ads, and social media press kit to highlight the opportunities for public comment;
- Informational webinar; the meeting details will be provided/shared once confirmed.
- Public hearing at the May 9, 2025, BAIFA Network and Operations (NOC) meeting;
- Referral to BAIFA for approval at the June 13, 2025, BAIFA NOC meeting;
- Adoption vote at the June 25, 2025 BAIFA meeting; and
- Toll ordinance amendment would take effect 30 days after adoption.

Staff will develop an advertising campaign about how to get FasTrak and use the I-80 Express Lanes starting about one month before opening and continuing two months after opening. The public information effort for the opening of I-80 will leverage the efforts already underway to increase access to FasTrak throughout the Bay Area, as presented at the January meeting of the BATA Oversight Committee, such as distributing toll tags at outreach events, expanding the retail network, and partnering with community-based organizations, car dealerships, and the Department of Motor Vehicles to promote FasTrak.

**Next Steps:**

Based on the Council's feedback, staff will finalize the materials needed to publicize its intent to amend the toll ordinance, open the public comment period, and prepare for the public hearing.

**Issues:**

None identified.

**Attachments:**

- Attachment A: Presentation