

# Proposed MTC Toll Facility Ordinance Amendment Fact Sheet

This fact sheet describes proposed changes to the Metropolitan Transportation Commission's (MTC's) Express Lanes Toll Facility Ordinance and how members of the public can weigh in before decision-makers consider approving them.

## WHAT ARE EXPRESS LANES?

Express lanes are special highway lanes that give priority to buses and carpools and allow other drivers to pay tolls for a faster and more reliable trip when it really matters. Tolls change as traffic changes to keep the express lanes moving better than the regular lanes. The toll a solo driver sees on the pricing sign when they get in the lane is the toll they pay, even if the toll changes while they are in the lane. All drivers must have FasTrak® to use express lanes.

## WHAT IS MTC?

MTC was created by the California Legislature in 1970 to plan, coordinate and fund the Bay Area's transportation system. In 2011, the State gave MTC authority to build and operate 270 miles of express lanes in Alameda, Contra Costa and Solano Counties. MTC delegated this authority to the Bay Area Infrastructure Financing Authority (BAIFA) in April 2013. BAIFA, a Joint Powers Authority, oversees MTC's express lanes business, including the toll ordinance amendment approval process.

## WHAT IS THE TOLL FACILITY ORDINANCE?

The ordinance establishes express lane tolls, a toll collection process, and civil penalties for the evasion of tolls on MTC's express lanes.

## WHAT TOLL FACILITIES WOULD BE AFFECTED?

The changes would only affect the I-880 Express Lanes in Alameda County and the I-680 Express Lanes in Contra Costa County – not other express lanes or toll bridges.

## WHAT WOULD CHANGE? WHY?

BAIFA is considering three changes:

- 1) **Pilots:** Allow BAIFA to carry out pilot projects to test alternate tolling and discount policies and new technologies for up to 36 months by board action. For example, BAIFA could pilot toll discounts for low-income drivers on the I-880 Express Lanes. Learn more about this proposed pilot at the MTC website: [www.mtc.ca.gov/express-lanes-policies](http://www.mtc.ca.gov/express-lanes-policies).
- 2) **Toll Violation Penalties:** Allow BAIFA to modify violation penalty amounts and exceptions to the assessment of penalties by board resolution adopted at a public meeting. For example, BAIFA may consider reducing penalty amounts after consulting with other Bay Area toll operators. Approval by resolution preserves the public's ability to comment on proposed changes prior to

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decision-maker approval, while reducing the time and cost to approve changes

- 3) **Emergencies:** Define the executive director of BAIFA's authority to suspend or reduce tolls or penalties or modify policies in the ordinance like hours of operation or high occupancy vehicle (HOV) requirements to respond to emergencies.

Other minor clarifications and clean-up language are also proposed. You may read the detailed changes to the ordinance at the MTC website: [www.mtc.ca.gov/express-lanes-policies](http://www.mtc.ca.gov/express-lanes-policies).

### WHAT IS THE SCHEDULE TO ADOPT CHANGES?

- Written public comments are strongly encouraged by May 20, 2022 at 5 p.m. to allow staff time to compile comments for the public hearing
- Public hearing: May 25, 2022
- Adoption vote: June 22, 2022

### HOW CAN I COMMENT ON CHANGES?

The best way is to submit written comments online via the **Survey** at the MTC website by May 20, 2022 at 5 p.m.: [www.mtc.ca.gov/express-lanes-policies](http://www.mtc.ca.gov/express-lanes-policies).

You may also submit comments in a letter to MTC's Public Information Office at 375 Beale Street, Suite 800, San Francisco, CA, 94105 or by email to [expresslanes@bayareametro.gov](mailto:expresslanes@bayareametro.gov) until May 20, 2022 at 5:00 p.m.; please reference 'BAIFA Toll Ordinance' as the subject. After

that time, comments may be submitted to [info@bayareametro.gov](mailto:info@bayareametro.gov) until May 24, 2022 at 5:00 p.m.

Lastly, you may comment in person at the May 25, 2022 public hearing.

### DO COMMENTS MATTER?

Yes! Past comments about affordability and equity have led to key updates in this proposed amendment. For example, BAIFA is proposing the ability to carry out pilots such as of a low-income toll discount on the I-880 Express Lanes.

Written comments will be posted before the public hearing. In addition, they will be summarized and presented to decision-makers before voting on proposed changes.

### WHERE CAN I LEARN MORE?

Learn more at the MTC website: [www.mtc.ca.gov/express-lanes-policies](http://www.mtc.ca.gov/express-lanes-policies).