
Thursday, September 1, 2022

6:45 PM – 8:30 PM

Zoom Link:

<https://clackamascounty.zoom.us/j/86142929762?pwd=MDdBVEdnODBmMFRDczRxNGkzTIFIUT09>

Telephone: 1 (669) 900-6833

AGENDA

6:45 p.m. **Pledge of Allegiance**

Welcome & Introductions

Chair Paul Savas & Mayor Brian Hodson, Co-Chairs

Housekeeping

- Approval of August 04, 2022 C4 Minutes **Page 03**
- October C4 Meeting

6:55 p.m. **Visit with OTC Chair Bob Van Brocklin**

- Chair Van Brocklin Bio **Page 05**
- Memo with Discussion Questions **Page 06**

7:20 p.m. **Oregon Highway Plan Policy Amendment – Congestion Pricing**

- [Policy Amendment Webpage](#)
- DRAFT Letter (**Action Item**) **Page 08**
- Proposed Goal 6 Amendment **Page 12**

8:00 p.m. **October 14 Field Trip**

Introducing: Trent Wilson, C4, ClackCo Staff

8:15 p.m. **Updates/Other Business**

- JPACT/MPAC Updates
- Climate Action Plan Task Force Update
- Other Business

8:30 p.m. **Adjourn**

General Information



Current Voting Membership

		C4 Exec	C4 Metro	C4 Rural	JPACT	MPAC	R1ACT
Clackamas County	Commissioner Paul Savas	●	●	●	●		●
Clackamas County	Commissioner Mark Shull		●	●		●	
Canby	Mayor Brian Hodson	●		●			●
CPOs	Martin Meyers (Redland CPO)	●	●	●			
Estacada	Mayor Sean Drinkwine			●			
Fire Districts	Matthew Silva (Estacada Fire District)	●					
Gladstone	Mayor Tammy Stempel	●	●				
Hamlets	Kenny Sernach (Beavercreek Hamlet)			●			
Happy Valley	Council Brett Sherman		●			●	
Johnson City	Vacant						
Lake Oswego	Mayor Joe Buck		●			●	
Milwaukie	Councilor Kathy Hyzy		●		●	●	
Molalla	Mayor Scott Keyser			●			
Oregon City	Commissioner Adam Marl		●			●	
Portland	Vacant						
Rivergrove	Mayor Walt Williams		●				
Sandy	Mayor Stan Pulliam			●			
Sanitary Districts	Paul Gornick (Oak Lodge Water Services)	●					
Tualatin	Councilor Valerie Pratt		●				
Water Districts	Sherry French (Clackamas Water District)						
West Linn	Mayor Jules Walters		●				
Wilsonville	Mayor Julie Fitzgerald		●				

Current Ex-Officio Membership

MPAC Citizen Rep	Ed Gronke
Metro Council	Councilor Christine Lewis
Port of Portland	Emerald Bogue
Rural Transit	Todd Wood (Canby Area Transit)
Urban Transit	Tom Markgraf (TriMet)

Frequently Referenced Committees:

- CTAC:** Clackamas Transportation Advisory Committee (C4 Transportation TAC)
- JPACT:** Joint Policy Advisory Committee on Transportation (Metro)
- MPAC:** Metro Policy Advisory Committee (Metro)
- MTAC:** Metro Technical Advisory Committee (MPAC TAC)
- R1ACT:** Region 1 Advisory Committee on Transportation (ODOT)
- TPAC:** Transportation Policy Advisory Committee (JPACT TAC)

Thursday, August 04, 2022
Development Services Building
 Main Floor Auditorium, Room 115
 150 Beaver Creek Road, Oregon City, OR 97045

Attendance:

Members: **Canby:** Brian Hodson; **Clackamas County:** Paul Savas; **CPOs:** Martin Meyers;
Hamlets: Kenny Sernach; **Gladstone:** Tammy Stempel; **Happy Valley:** Brett
 Sherman; **Lake Oswego:** Joe Buck; **Metro:** Christine Lewis; **Milwaukie:** Kathy
 Hyzy; **Molalla:** Scott Keyser; **Transit:** Tom Markgraf (TriMet), Dwight Brashear
 (SMART – Alt.), Todd Woods (Canby, Rural Transit); **Tualatin:** Valerie Pratt;
Water District: Sherry French (CRW); **West Linn:** Jules Walters; **Wilsonville:** Julie
 Fitzgerald

Staff: Trent Wilson (PGA); Chris Lyons (PGA)

Guests: Jamie Stasny (DTD); John Lewis (OC); Jaimie Lorenzini (Happy Valley); Scott
 Turnoy (ODOT); Mark Ottenad (Wilsonville); Will Farley (Lake Oswego); Heather
 Wills (ODOT/WSP)

The C4 Meeting was recorded and the audio is available on the County's website at
<http://www.clackamas.us/c4/meetings> . Minutes document action items approved at the meeting.

Agenda Item	Action
Approval of July 07, 2022 C4 Minutes	Approved as amended. Typo correction.
Regional Toll Advisory Committee – Cities Seat Selection	The cities of Clackamas County caucused to determine who will serve as the primary and alternate to the Regional Toll Advisory Committee. Council President Kathy Hyzy (Milwaukie) will serve as the primary. Council President Rory Bialostosky (West Linn) will serve as the alternate.
Oregon Highway Plan Policy Amendment- Congestion Pricing	ODOT extended the comment period on the OHP Goal 6 Tolling Amendment to September 15, following the request of many in the region – including C4. C4 members used this time to discuss themes they would like to include in an extended comment on the OHP, having the benefit of additional review time. Staff to prepare a draft letter for review, decision at the September 1 meeting. Themes for inclusion in the letter

	<p>include:</p> <ul style="list-style-type: none"> • Definitions of corridor, diversion • Recognition that highway use is broader than just “long trips,” especially in the urban areas • Proposing “minimal state of readiness” when considering where and how to toll • Enhancing local and regional voices • Planned obsolescence
<p>C4 I-205 Tolling Diversion Subcommittee</p>	<p>C4 staff shared expectations for upcoming meetings and engagements with ODOT related to tolling, including when diversion mitigation meetings are expected to occur with local jurisdictions and when that discussion will return to the Diversion Subcommittee.</p>
<p>Updates/Other Business</p> <ul style="list-style-type: none"> • JPACT/MPAC Updates • Climate Action Plan Task Force Update • Status of Eugene Housing Field Trip • Other Business 	<p>JPACT/MPAC: Regional Flexible Funds Allocations remain a primary topic at JPACT. MPAC discussed a low income toll report and received a 3rd quarter report on the Supportive Housing Services Measure.</p> <p>Climate Action Plan Task Force: Robust community engagement is underway through the summer. Hold on meetings.</p> <p>Status of Eugene Housing Field Trip: Survey out soon to identify best dates in October, based on the availability of partners and providers in Eugene.</p>

Adjourned at 8:39 p.m.

Commission Chair Bob Van Brocklin

Bob Van Brocklin is a retired partner in the Portland office of Stoel Rives LLP, Oregon's largest law firm. He was a lawyer at Stoel Rives for 35 years and is the firm's past Firm Managing Partner and CEO. Prior to becoming Firm Managing Partner, he chaired the Firm's Real Estate, Development and Environment Practice Group. Governor Kate Brown appointed Bob to the OTC in 2017, appointed him Chair of the Commission in 2019, and reappointed him to the Commission in 2021. Bob has served on the boards of the Portland Business Alliance, the University of Oregon School of Law, the Oregon Shakespeare Festival, the Portland Schools Foundation, Portland Center Stage, United Way's Annual Fund Campaign, the Oregon Symphony Association, the Armory Theater Fund, and co-chaired Portland school bond measure campaigns, among other leadership roles. He has written reviews for *The Oregonian* on books on American history and government, including leading biographies. He has also served on for-profit corporate boards. Prior to joining Stoel Rives in 1986, Bob worked on the professional staff of the United States Senate Committee on Commerce Science and Transportation and in senior leadership at the City of Portland. He was born in Montana and raised and educated in Oregon.

Commission Terms: November 2017 to June 2021; July 2021 to June 2025.



Memo

To: Clackamas County Coordinating Committee (C4)
From: Trent Wilson, ClackCo Government Affairs and C4
Date: August 24, 2022
Re: Visit from Oregon Transportation Commission Chair Bob Van Brocklin

Overview

Chair Bob Van Brocklin, Chair of the Oregon Transportation Commission, is attending the first portion of the September C4 meeting. The following questions have been provided to Chair Bob Van Brocklin in advance.

Discussion Questions:

At the direction of the 2017 state legislature, ODOT and the OTC were tasked with implementing tolling I-5 and I-205. Because of construction timing and limited financing, the first tolls are expected to happen right here in Clackamas County. It is critical that the OTC be more than just a policy body on how this is implemented, we need a partner. We recognize and appreciate that ODOT has taken some steps, such as forming the new Regional Toll Advisory Committee and having staff participate in the C4 Diversion Subcommittee, but those opportunities have not felt like genuine participation in the process with the ability to affect processes and outcomes. ***How will you ensure the relationship between the OTC and those communities is strong and that our communities feel heard?***

Earlier this year ODOT received an infusion of federal funds from the November 2021 Infrastructure legislation. C4 – really the elected leaders of the communities anticipating toll impacts – pleaded with the OTC to use some of those discretionary funds (not all) to help diversify the project costs of I-205 in order to mitigate the impacts of tolling, but the OTC did not answer or directly address the request, leaving our communities frustrated and feeling ignored and unheard. We of course recognize ODOT has many statewide projects and priorities. I-205 was named in 2017 as one of three bottleneck projects of statewide significance, and yet received the least amount of initial project funds. ***Can you please help us understand what happened earlier this year, and why the OTC or ODOT was unwilling or unable to respond to this request to reduce the tolling impact in our communities?***

We recognize that the Legislature directed ODOT to pursue congestion pricing in the region. According to ODOT, this will begin roughly one year after tolling on I-205 will begin. It seems quite clear to us and many of our residents that the fairest way to advance both projects is to hold on the implementation of tolling I-205 and to initiate tolling on both I-205 and the RMPP at the same time. This also reflects the recommendation of the 2017 Tolling Task Force and many regional letters and comments submitted to the OTC earlier this year.

- ***What is the OTC willing to consider in the way of pursuing a unified tolling start time for the region so that Clackamas communities and businesses are not unfairly burdened?***

- *If nothing, what is the OTC willing to consider to offset the diversion and economic ramifications anticipated by being tolled first in the region?*

How can we stay connected moving forward and rebuild this important relationship so our residents have access to the OTC while this significant policy shift occurs?



DISCUSSION DRAFT FOR SEPTEMBER 1 C4 MEETING

September **DRAFT**, 2022

Oregon Transportation Commission
c/o Oregon Highway Plan Manager
OHPmanager@odot.oregon.gov

Dear Oregon Transportation Commissioners:

On behalf of the Clackamas County Coordinating Committee (C4), we'd like to thank you and the Oregon Department of Transportation (ODOT) for extending the comment period for this important discussion and proposed amendment to the Oregon Highway Plan. C4 initially commented on the proposed Goal 6 Amendment, focusing on the request to extend the timeline and adding several preliminary responses. With the benefit of added time, our comments below reflect a deeper narrative and several recommendations in response to the proposed amendment.

Local and regional engagement on tolling programs must happen at all levels

The Proposed Goal 6 amendment is alarmingly silent on how ODOT is to engage the public and local and regional governments when implementing tolling and congestion pricing. We submit that by not having a proposed and named strategy for public engagement that ODOT will fail to meet the equity goals outlined Section 6.6, be plagued with accusations about transparency, and minimize – and potentially negate – the role of policy makers elected to represent the communities where tolling is proposed.

Much can be learned from ODOT's current engagement efforts to toll I-205. The current trust deficit between Clackamas communities and ODOT is indicative of not enough local engagement, varying access to information for policy makers, and infrequent and inconsistent communication between ODOT and cities/county on the development of the I-205 toll program. Yet, positive things have occurred too. Cooperative development of the C4 I-205 Diversion Subcommittee, establishment of the Regional Toll Advisory Committee, and staff-to-staff connections between ODOT and the county/cities. ODOT often describes the development and engagement of the I-205 Toll Programs as "building the plane as we fly it." We strongly recommend other communities not experience a similar process.

Recommend: Adopt language that creates standards for local and regional public engagement when deciding where to toll a project and how jurisdictions and communities stay informed, and provides transparent access to information.

Corridors should have a "minimal state of readiness" before starting a congestion pricing program

Congestion pricing is not a one-size fits all formula, and to effectively meet the desired outcome of influencing travel behavior requires alternative mode infrastructure and services to be in place ahead of

implementing congestion priced corridors. The I-205 corridor in Clackamas County has no meaningful alternative transportation mode for commuters, but rather a six to eight mile corridor where the only way through is along I-205. There are no bus or train options and no contiguous bike or pedestrian routes. Over 100,000 vehicles cross the Abernethy Bridge every day, and with no alternative modes available – save for a singular pilot project that has not started yet – we can only assume the only behavior change for drivers along I-205 will be to divert from I-205 into local streets, many of which are already at or beyond capacity.

Further, congestion pricing assumes that people may have the option of shifting their travel time to avoid higher tolls at peak travel times. Yet we know lower income jobs, shift labor, and families navigating childcare will not have that luxury. Implementing congestion pricing where alternative modes are not available will inherently place greater burdens on people.

Recommend: Add language to Goal 6 that identifies a minimal state of readiness to accommodate mode shifts and address diversion before implementing congestion pricing.

The definition of “diversion” is too prescriptive and does not adequately acknowledge freeway use in urban areas

Goal 6.12 presently identifies “longer trips” as the target for diversion mitigation, suggests that trips of three miles or less should not be considered diversion, and defines diversion as a “choice by some drivers to choose off priced systems routes”. We object to all of these assumptions.

In urban areas especially, the freeway system serves broader needs than just medium to long trips. Freeways connect people to schools, grocery stores, jobs, and more. Wilsonville provides a good example where the Willamette River divides the city and I-5 is the only connector. When tolling takes place on I-5 to repair or replace the Boone Bridge, the current definition of longer trips versus short trips will ignore freeway dependent communities.

Not only do “short trips” affect diversion, they are affected by diversion and can create additional local diversion. Traffic to avoid tolls into local communities could, and in most cases will, enter local systems that are already at or beyond capacity. When freeway traffic creates additional burden on local systems, it will influence local trips to avoid the diversion caused by tolling. Said another way, a local trip down an arterial may shift to neighborhood streets to avoid traffic caused by freeway diversion. These are unsafe scenarios caused by tolling a freeway system. If ODOT is not accounting for “short trips” in addition to long trips it will not adequately capture the impacts of their pricing policies and consequently create unsafe communities.

It is also short sighted to refer to diversion as a “choice.” A choice requires options, and in addition to our comments above regarding “minimal state of readiness,” relegating diversion to merely a “choice” overlooks people who do not have the option to pay for new transportation costs yet are still reliant on the existing freeway route. For example, the I-205 toll program has been modelled at \$2.20 per toll gantry at peak hours, with two gantries in each direction. Therefore, a round trip for someone needing “through traffic” could be \$8.80 per day. For a minimum wage worker in Oregon, they just lost half of their first hour of income to go to work. Assuming 20 working days per month, that totals \$176 per month and \$2,112 per year. There are many families in Oregon to whom diversion will not be a choice, but a requirement to pay their bills and feed their families.

Recommend: Acknowledge that freeway travel accommodates many trip types (short and long), that local traffic and impacts should be accounted for in diversion modeling no matter the length of travel, and that diversion can be defined simply as an increase in off-system traffic caused by tolling.

The definition of “corridor” is too prescriptive

Section 6.10 goes out of its way to define a corridor, and leaves too many questions about where the responsibility lies to make traffic and safety investments resulting from tolling. It remains unclear why “generally within 1-mile of the priced facility” is a criteria worth defining as a project impact area. While NEPA is also mentioned as conditional criteria, the I-205 toll project has taught our communities that not all projects are created equal. Early modeling shows the impact area does include many needed adjustments within 1-mile, but also many outside of the 1-mile corridor.

Recommend: Remove the “1-mile” language and insert a process that favors working with local and regional partners to identify the impacts of any given corridor.

Comments related to rate setting, use of revenue

We are supportive of efforts to create solutions that remove or reduce the impacts of tolling to people with low incomes and marginalized experiences. We strongly support the formation of the Equity and Mobility Advisory Committee and feel that committee should have better presence in the proposed amendment. Yet, we still feel the greatest solution to overcome the tolling barrier is to offer a free lane on tolled and congestion priced corridors. We can appreciate there are many complications related to this concept, but for people without choices on where they work and live we submit the best way to reintroduce a “choice” on a tolled corridor is to ensure their current route on an existing facility includes a free lane. We want to reemphasize this would be particularly beneficial on corridors that lack a minimal state of readiness (see comments above).

Further, it is unclear who will be making rate setting decisions “in rule,” how those rules will be different from the Oregon Highway Plan, and how the public will be able to engage in that process. More clarity should be introduced to identify those questions.

Last, we strongly urge that every toll project that is used to fund a specific capital projects (such as I-205 or Interstate Bridge) include a “sunset” date whereby tolling is removed once capital construction funding obligations have been met. We submit this provides a necessary infusion of public and transparent discussions about the price of the projects, decisions about the rates of tolls, disclosure of how funds are distributed, and a projected end date that will benefit communities and local businesses.

Recommend: Install rate setting consideration that includes “free lane” alternatives for corridors that do not meet a minimum state of readiness, clarify the process for what will be decided “in rule,” and include language that sunsets toll projects intended to pay for specific facilities.

The implementation of toll and congestion priced projects on the state highway and interstate system will affect how people travel for generations. Even though Goal 6 will have statewide implications, it is not lost on us that all of the currently proposed toll projects are in the Portland area – and the very first expected right here in Clackamas County. We all need to be working in partnership to understand how our transportation facilities support each other and, in some cases, how they could negatively affect people and businesses.

Thank you for the opportunity to comment.

Sincerely,

DRAFT

Paul Savas, Commissioner
Clackamas County
C4 Co-Chair
R1ACT Vice Chair

DRAFT

Brian Hodson, Mayor
City of Canby
C4 Co-Chair
R1ACT Member

C4 Membership: Clackamas County; the Clackamas Cities of Canby, Estacada, Gladstone, Happy Valley, Lake Oswego, Milwaukie, Molalla, Oregon City, Rivergrove, Sandy, Tualatin, West Linn, Wilsonville; Clackamas CPOs, Hamlets, and Special Districts; Ex Officio Members including Metro, MPAC Citizen Port of Portland, Urban and Rural Transit

Goal 6: Tolling and Congestion Pricing

Introduction

There are many mechanisms to price the transportation system to raise revenue and/or help achieve desired outcomes. These mechanisms can be used in concert with one another when a single system is insufficient at either purpose. The focus of this section is to outline roadway pricing mechanisms to pay for specific high-cost infrastructure or to achieve congestion reduction or other outcomes along discrete sections of roadways. “Tolls” are included in this section, which refer to roadway pricing that focuses on creating revenue for the construction, and other outcome-based mechanisms targeting a desired performance on a roadway, segment, or area, such as helping to reduce congestion. These roadway pricing mechanisms are defined in this policy to help identify when use may be most appropriate and further policy direction is provided to outline how these mechanisms should be applied.

As with all transportation programs, Oregon will fulfill obligations under Federal law for the implementation of road pricing on the interstate system. Tolling and pricing have requirements and obligations that are unique to those programs and the state will ensure that all of these are met.

Types of Road Pricing

To simplify the various terms that are used for road pricing and align them with different policies, the following definitions will be used as key terms:

- 1. Flat rate toll** – A fee set by the Oregon Transportation Commission (OTC) and charged by a road pricing operator for the use of traveling on said facility. The flat rate toll rate does not change throughout the day. Revenues from this type of road pricing are used for specific infrastructure such as bridges or tunnels and other costs associated with the tolled infrastructures.
- 2. Congestion pricing** – Fee ranges are set by OTC and charged by a toll facility operator. Rates are higher during peak travel periods (such as morning and evening commute) and lower during off-peak periods. Current prices are displayed on electronic signs prior to the beginning of each priced section. With congestion pricing, motorists receive a reliable and less congested trip in exchange for the payment. Oregon will focus on scheduled variable rate congestion pricing.

Scheduled variable rate pricing, typically called “variable pricing” varies by time of day according to a published schedule, which can be updated periodically. Although rates can be different for each hour and for each day, they are known to users in advance of travel. This encourages motorists to plan travel in advance to use the roadway during less-congested periods or use a different mode and allows traffic to flow more freely during peak times.

Road Pricing Objectives

Tolling and congestion pricing are tools used to help achieve specific outcomes and can be used together.

6.1 Policy Utilize tolling, congestion pricing or a combination to achieve documented outcomes

6.1.A Action

When tolling is used to fund a specific improvement, consider adding congestion pricing if high levels of congestion exist or it is anticipated within the planning horizon.

6.1.B Action

Develop application specific objectives for tolling and congestion pricing consistent with the policies in this plan, recognizing more than one objective can be achieved but should be balanced.

6.1.C Action

Road pricing options must not conflict with, and try to support, other statewide goals around sustainability and climate, health and equity, with an emphasis on addressing the needs of historically or currently underrepresented and underserved communities.

6.1.D Action

Any road pricing options must consider the purpose and function of the facility, recognizing that the interstate and freeway system should serve longer trips and movement of people and goods to major employment and commerce locations.

6.2 Policy Utilize road tolls to help fund infrastructure improvements

6.2.A Action

Consider tolling for major investment projects on Oregon's freeways and bridges as a source for initial and sustainable funding when other funding sources are inadequate for investment needs.

6.2.B Action

Utilize flat-rate tolling to raise funds for construction, operations, maintenance and administration of specific infrastructure, recognizing that such toll may have less impacts to congestion and climate when compared to congestion pricing.

6.2.C Action

Evaluate if tolling should be used to help pay for any project that is for the construction or re-construction of a freeway or bridge and anticipated to cost more than \$100 million.

6.2.D Action

Complete a comprehensive funding plan for projects utilizing tolling to pay for improvements. Include in the plan funding sources and relative funding shares, as well as analysis of the viability of the project if tolling does not move forward. Reasons for not pursuing tolling must verify how other funding sources will be impacted if the project still moves forward.

6.2.E Action

Consider tolling to cover the short- and long-term costs of the infrastructure improvement, as is required by law and financing obligations, including: the initial capital outlay, cost of operating the tolling program, and revenue needed to cover long term maintenance, operations, and administration functions.

6.3 Policy Use congestion pricing to reduce traffic congestion

Reduce delays, stops-and-starts, and increase reliability of travel times through congestion pricing to improve overall mobility on Oregon's interstates and freeways where mobility targets are not met and the system is experiencing regular recurring congestion. The intent of congestion pricing is to change some users' behavior so that they choose a different mode of transportation, time of day, route or not to make the trip. Congestion pricing can be considered as a complimentary part of a tolling project incorporating new or upgraded infrastructure, but also can be considered as a travel demand strategy for an interstate or freeway segment without any planned infrastructure projects.

6.3.A. Action

Evaluate if congestion pricing should be used to help manage congestion for any interstate or freeway that exceeds an Annual Average Daily Traffic (AADT) to Capacity ratio (AADT/C) of 9.0 or greater or where average vehicle speeds are less than 45 mph.

6.3.B Action

Prior to adding new throughway capacity such as the addition of new through travel lanes, demonstrate that system and demand management strategies, transit service and multimodal connectivity improvements, and pricing cannot adequately address throughway deficiencies and bottlenecks.

6.3.C Action

Pair pricing with other actions to address roadway congestion holistically, including the use of ITS technology, access control and management, increasing modal options and implementing other demand management tools.

6.3.D Action

Utilize congestion pricing to have a moderate impact on reducing vehicle travel on interstates and freeways through an expected schedule (e.g. during peak hours) with the ability to manage impacts to people experiencing low-income and diversion (rerouting) and especially when there few available alternate route and mode options for real-time decisions.

6.4 Policy Connect to our climate goals and targets

Ensure that potential application of congestion pricing evaluates how it will help support state climate change goals and targets.

6.4.A Action

Recognize that implementation of any road pricing mechanism is likely to impact overall VMT and therefore should be structured to minimize diversion of freight or longer trips to local roads and encourage VMT reduction.

6.4.B Action

Evaluate implementation of road pricing as a strategy to limit or reduce future vehicular travel demand from planned land use development. Analysis should specifically look at projects that are adding significant through travel roadway capacity such as additional through lanes.

6.5 Policy Connect shifting travel to off-peak hours and to biking, walking, and public transportation to the design and operations of road pricing mechanisms

Ensure that road pricing as strategy evaluates potential shift to other travel times and modes of transportation (e.g. public transportation, carpools, biking, and walking), telecommute, or times of travel to reduce climate impacts.

6.5.A Action

Pursue congestion pricing strategies to manage demand so that the recurring congestion performance objectives are met during all hours of the day.

6.5.B Action

Upon completing toll bond obligations, consider congestion pricing strategies for ongoing reliability and demand management purposes.

6.5.C Action

While developing the tolling project and/or road pricing application, collaborate with transit agencies, local jurisdictions, and other modal groups on the following:

- Increase (or support) public transportation services, transportation option service providers, or biking and walking options for those unable to afford tolls within the project or project area
- Understand how the benefits of a better managed, less congested interstate or freeway may provide opportunities for new, expanded, or enhanced transit service
- Understand how the impacts of diversion (rerouting) of vehicle trips may impact existing or planned transit service routes

6.6 Policy Center equity when designing tolling and pricing frameworks

While the reason to price the system will not be to improve equity directly, equity must be considered and addressed in the design, execution and management of any road pricing program. Equity efforts must focus on both “process equity” and “outcome equity,” which are defined as follows:

Process equity means that the planning process, from design to post-implementation monitoring and evaluation, actively and successfully encourages the meaningful participation of individuals and groups from historically excluded and underserved communities.

Outcome equity means that the toll or roadway pricing project will acknowledge existing inequities and will strive to prevent historically excluded and underserved communities from bearing the burden of

negative effects that directly or indirectly result from the priced projects, and will further seek to improve overall transportation affordability, accessible opportunity, and community health.

6.6.A Action

Engrain equity into decision-making processes and ensure equity outcomes are achieved when developing, implementing, and managing road pricing programs, by:

- Ensure full **participation** of impacted populations and communities throughout the project and applications by identifying specific populations, groups, or geographic areas that will be used to discern for equity. The Agency must be accountable and transparent.
- Explore how road pricing application will impact overall household budgets, populations and communities and maintain **affordability**, in balance with other objectives.
- Projects will identify ways to support multi-modal access through partnerships and expand **opportunities** for historically excluded and underserved communities.
- Projects will consider the project impacts to outcomes such as community health, including air quality, noise, traffic safety, economic impacts and other potential effects on historically or currently excluded and underserved communities.

Table XX: Summary of Road Pricing Mechanisms and Associated User Impact and Goals

Mechanism	Flat rate toll	Congestion Pricing
Types of System Pricing	Flat rate toll	Variable rate
USER EXPERIENCE		
One price to use	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Price changes throughout day	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Predictable price for travelers	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
DEMAND MANAGEMENT		
Encourage shifts away from single-occupancy vehicle travel	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Encourage shifts from peak travel to off-peak travel	<input type="checkbox"/>	<input checked="" type="checkbox"/>
TRAFFIC OPERATIONS		
Manages recurring traffic congestion (congestion pricing)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Responsive to day-to-day variations and real-time conditions	<input type="checkbox"/>	<input type="checkbox"/>



- Does achieve



- Does not achieve

Rate Structures, Pricing Considerations, Exemptions and Discounts

Rate setting will be a critical step in tolling and congestion pricing processes. Specific rates are to be set in rule and the policy below provides the overarching structure for doing so.

6.7. Policy Structure rates so as not to impose unfair burdens on people experiencing low-income and to advance equity

6.7.A Action

When planning for, implementing, and managing road pricing systems including rate setting, engage the following groups for feedback and analysis:

- People experiencing low-income or economic disadvantage
- Black, indigenous and people of color (BIPOC)
- Older adults and youth
- Persons who speak non-English languages, especially those with limited English proficiency
- Persons living with a disability
- Small, minority, and woman- owned businesses
- Other populations and communities historically underrepresented by transportation projects – this shall be determined at the project-level

6.7.B Action

While setting or adjusting road pricing rates, analyze the impacts to affordability by the percentage of household income for lower- income drivers compared to middle and higher-income drivers.

6.7.C Action

Set a no- or low minimum balance requirement for loading or maintaining road pricing accounts used by the public.

6.7.D Action

Road pricing should not contribute to major financial indebtedness for people experiencing low income. Establish rate discounts, exemptions, account supplementation and/or other processes for low-income users.

6.8 Policy Set rates to help achieve desired outcomes

Structure rates to help achieve targeted revenue or performance outcomes as outlined in policy and specified by the project or desired application.

6.8.A Action

Set rates to achieve outcomes and performance targets with the understanding that outcomes will not likely be achieved through road pricing alone and additional revenue sources may supplement funding needs. Structure rates to meet the desired share from toll revenues.

6.8.B Action

Establish rates consistent with the roadway classification, purpose, and function; and the desired use of such facilities. As such:

- Discourage short trips (three miles or less) and prioritize longer-distance travel on interstates and freeways; when evaluating diversion (rerouting) to local streets, limiting these new short trips should not be a priority as compared to limiting diversion (rerouting) of freight or longer trips (three miles or more)
- Any change of 0.05 to the existing/planned V/C from diverted traffic is considered significant and mitigation may be considered
- Keep freight on interstates and freeways and off local streets, when possible.

6.8.C Action

Set rates sufficient to:

- Cover the cost of the tolling or congestion pricing system and administration as is required by law
- Reach the desired revenue needed to pay for the planned share from tolling for the infrastructure improvement, operations, and maintenance
- Manage congestion to desired travel times, speeds, or reliability thresholds established for the project
- Meet any additional system performance metrics, defined for corridors, a series of corridors or by segments.

6.8.D Action

Rate setting decisions must be based on the following considerations that include equitable rate parameters. At a minimum, rate setting should include:

- Definition of a rate range to set a minimum and maximum threshold
- Consideration of condition thresholds for when a rate range may be exceeded
- Provision of discounted or free passage to be used for certain vehicles
- Definition of the corridor for investment.

6.8.E Action

Quarterly review rates to assess goal achievement and need for additional or revised exemptions and discounts.

6.8.F Action

When rate pricing over a longer length of roadway, allow variable rates to be applied in different roadway segments by defining road pricing zones. Zones should be as long as possible and should only be divided where there is a major system connection location that significantly changes the traffic characteristics as compared to an adjacent zone. The rates are then allowed to vary between zones.

6.9 Policy Provide discounts or exemptions to incentivize certain travel behaviors or address impacts

Understand how pricing impacts users and incorporate considerations for system users while achieving pricing outcomes.

6.9.A Action

Provide exemptions for active response vehicles (police, fire, EMS/ambulatory service).

6.9.B Action

Provide an exemption to public transportation vehicles, including private coaches as required under Federal law.

6.9.C Action

Provide discounts or account supplements for people who are experiencing low income and who are struggling to meet basic needs (e.g. food, shelter, clothing).

6.9.D Action

Ensure fairness in pricing and balance low income programs with revenue needs and congestion pricing goals.

6.9.E Action

Incentivize high occupancy vehicles, such as shuttles, and carpools at the project-level or if multiple projects are operating within a region, at the regional-level.

6.9.F Action

Analyze and consider reducing toll rates when funding needs are achieved for the infrastructure improvement but ensure that toll remains to cover maintenance, operation and administration costs and that reduced rates will remain consistent with both project and statewide goals of congestion reduction.

Use of Revenue

6.10 Policy Utilize tolling or roadway pricing revenue within the project corridor

Use funds on the tolled/priced project corridor. The corridor is defined as the tolled/priced roadway and the immediate area of impact adjacent to the project, generally within 1 mile of the priced facility or as defined through the project-specific NEPA process identifying significant impacts. Additionally the corridor should be limited to arterials that generally move traffic in the same direction. If no arterial exists within, then a collector that generally moves traffic in the same direction as priced roadways may be considered. Diversion that is considered significant is when there is a substantial increase in large trucks or an increase in non-short distance trips to the local system that changes the potentially impacted facility's v/c ratio by 0.05 or more.

6.10.A Action

Ensure compliance with U.S. Code Title 23 [Section 129](#) when a toll project is approved under this section. This section requires toll revenue first go to paying for transportation improvements with capital investments to which the toll project is linked.

6.11 Policy Meet all revenue obligations first and prioritize revenue usage

When construction projects are bonded, certain financial obligations must be met before discretionary spending may occur. Net revenues after such obligations should be targeted to meet statewide goals and meet all requirements identified in Oregon's constitution, federal requirements and others as appropriate.

ORS 383.009(2)(j) states that moneys in the toll program fund may be used for improvements on the tollway, adjacent, connected and parallel highways to reduce congestion, improve safety and address impacts of diversion as a result of the tollway.

When implementing tolling as a way to help fund key infrastructure projects, revenues should be first directed toward financial obligations, construction, maintenance, and operation of the related infrastructure. A toll may be reduced once obligations are met.

Spend revenue utilizing the following hierarchy:

- Cover the cost of the tolling/pricing system and administration first as consistent with bond indenture requirements; and then
- Reach the desired share of revenue needed to pay for the infrastructure improvement, direct project mitigation, operations, and maintenance; and/or then
- For congestion pricing, discretionary spending should be targeted to manage congestion to desired travel times, speeds, or reliability thresholds established for the project; and then
- Meet any additional system performance metrics, defined for corridors, a series of corridors or by segments.

6.11.A Action

Identify corridor priorities for construction (seismic improvements, bottleneck relief projects, etc.) and operations, maintenance, administration for revenue usage.

6.11.B Action

Target net revenues for larger congestion management related projects in corridor as part of project mitigation, including enhanced transit, modal overpasses, etc.

6.11.C Action

Transit and multimodal transportation options should be increased with congestion pricing projects. This can be done through direct toll revenue allocation, when compliant with the Oregon Constitution, or through partnerships. Larger investments in transit-supportive infrastructure, such as bus-on-shoulder and park-and-rides, could be funded through a capital investments approach. Investments in carpools, vanpools, shuttles, and other demand responsive type of shifts to higher occupancy vehicles should also be considered as they may better match the needs of longer-trip users of the interstate and freeway system.

6.12 Policy Address impacts to neighborhood health and safety within the corridor (mitigation)

Acknowledge that diversion, the choice of some drivers to choose off priced system routes, may have impacts to adjacent communities and coordinate with these communities to mitigate significant impacts when feasible.

6.12.A Action

Tolling and congestion pricing projects should be planned and operated to limit longer-trip diversion (rerouting) through local communities on parallel roads.

6.12.B Action

Trips that previously used the interstate or freeway for local travel / short trips (three miles or less) should not be considered as diversion. Local trips are better served on local roads and preserve capacity on the interstates and freeways for their purpose in connecting people on longer trips.

6.12.C Action

When providing investments to address neighborhood health and safety impacts in communities because of diversion (rerouting), prioritize capital investments in biking and walking networks, consistent with constitutional restrictions.

6.12.D Action

Partner with communities when providing investments related to diversion and consider improvements to all modes.

Infrastructure and Management

6.13 Policy The Oregon Transportation Commission is Oregon's toll and roadway pricing authority

Per ORS 383.004 the OTC has been given authority over tolling and road pricing design, execution and management rules and decisions.

The OTC will implement pricing programs to raise revenue and/or manage congestion, independent of land use actions and decisions. Since pricing is a mechanism for system management, such as ramp metering, establishment of pricing rate adjustments are not to be considered land use actions.

6.14 Policy Ensure interoperability of toll rate collection systems

Design systems that are easy to use and maximize interoperability with other known systems of neighboring states, weight mile tax devices and ITS systems while maximizing options for users.

6.14.A Action

Deploy technology that facilitates interoperability with tolling systems of neighboring states whenever possible.

6.14.B Action

For any proposed tolling or congestion pricing project on an interstate or freeway, ODOT shall develop tolling systems that rely on all-electronic collection mechanisms, and enable at least one manner of toll collection that does not require a transponder.

6.14.C Action

For any proposed tolling or road pricing project on an interstate or freeway, ODOT will develop and utilize tolling technologies and systems that are based on common standards and an operating sub-system accessible by the marketplace where components performing the same function can be readily substituted or provided by multiple providers to the extent possible while compatible with tolling systems in the Washington and California whenever possible.

6.14.D Action

Provide a "cash preferred" option for paying road pricing fees in order to reduce barriers to use of the transponders.

6.15 Policy Complete program assessment, monitoring, and adjustments

Once established, evaluate tolling and congestion pricing programs regularly against project specific objectives. Along with financial obligations, this will inform any future adjustments to the rate schedule and other program design adjustments.

6.15.A Action

Establish a monitoring and reporting program, which should include: vehicle speed, volume, driver pattern changes within the corridor (e.g. diversion or rerouting), levels of congestion, modal shifts, air quality, GHG

emissions, and equity goals identified on a project-level basis. Data should capture the benefits and impacts to multimodal transportation, which includes: freight, light rail, transit, passenger vehicles (single and high-occupancy), bike, walk, and telecommute. It is acknowledged that varying levels of data exist for these modes and thus information may vary by level of detail or frequency.

6.15.B Action

The OTC will evaluate and adjust all road pricing programs on a regular basis with a minimum of annual review, with consideration to effectiveness toward goals, rate adjustments and revenue generation thresholds.

6.15.C Action

Continually assess the cumulative impact of fees and tolled/priced areas on people experiencing low income.

6.15.D Action

Actively monitor cost allocation between light and heavy vehicles as a part of the highway cost allocation and adjust as needed and ensure compliance with Oregon state constitution requirements.