

# FINAL BILL REPORT

## SHB 1179

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### C 312 L 05

Synopsis as Enacted

**Brief Description:** Authorizing a pilot project for high-occupancy toll lanes.

**Sponsors:** By House Committee on Transportation (originally sponsored by Representatives Murray, Shabro, Wallace, Woods, Jarrett, Simpson, Springer, Dickerson, Quall, Armstrong, Kenney, Clibborn and McIntire; by request of Department of Transportation).

**House Committee on Transportation**  
**Senate Committee on Transportation**

#### **Background:**

High Occupancy Vehicle (HOV) lanes are highway lanes reserved part-time or full-time for vehicles carrying a minimum number of occupants. The object of these lanes is to facilitate the operation of transit vehicles and other multi-occupant vehicles, allowing them to avoid congestion and providing those vehicles with improved travel times. There are currently over 200 miles of HOV lanes in operation in the central Puget Sound area. During certain periods, HOV lanes are operating below capacity while adjacent general purpose lanes are congested.

High Occupancy Toll (HOT) lanes are lanes that are open to carpools, vanpools, transit vehicles, and toll-paying single occupant vehicles. The goal for establishing these lanes is to provide a higher level of service for multi-occupant vehicles, while permitting single occupant vehicles to use surplus capacity in the lane by paying a toll. The HOT lanes have been employed in several corridors in California.

The Department of Transportation (DOT) has authority to designate HOV lanes on state highways. It does not, however, have the authority to designate HOT lanes and impose charges for the use of those lanes. The Transportation Commission as part of its evaluation of HOV lanes directed the DOT to evaluate the feasibility of converting a portion of the HOV lane system to HOT lanes. The DOT staff identified a portion of State Route 167 as the best candidate to implement a HOT lane pilot project.

#### **Summary:**

The DOT is permitted to establish and operate a HOT lane pilot project along the nine miles of high occupancy vehicle lanes on State Route 167 within King County. Tolls on the project are to be established by the Transportation Commission and may vary in amount by time of day, level of traffic congestion, vehicle occupancy or other criteria. Special tolls may be provided for zero emission vehicles. During peak hours, the tolls must be adjusted to maintain HOT lane performance of at least 45 miles per hour for at least 90 percent of the time. The DOT is directed to mitigate impacts to HOV lane users and address safety issues. The DOT is to report annually to the Transportation Commission and the Legislature on the project

impacts on operational efficiency, effectiveness for transit, sufficiency of financing through tolls, and impacts on all highway users and model choices. Surveys are authorized to determine this information.

Construction of the facilities to implement the toll project must begin within four years or the HOT lane pilot authority expires and the tolling authorization is limited to a period of four years. Violation of the restricted access portion of a HOT lane is a traffic infraction.

The HOT Lanes Operations Account (Account) is created in the state treasury. Interest on the Account accrues to the Account. Money in the Account may be used for financing the improvements, toll collections enforcement, and maintenance on the facility and carpools, vanpools, and transit services in the corridor. A reasonable proportion of the funds in the Account must be dedicated to increase transit, vanpool, carpool and trip reduction services.

The personally identifying information of persons using transponders to facilitate payment of tolls is exempted from public disclosure but the information may be disclosed in aggregate by census tract. Law enforcement agencies may only access personally identifying information for toll enforcement purposes, except by court order.

**Votes on Final Passage:**

House	83	13	
Senate	47	2	(Senate amended)
House	86	9	(House concurred)

**Effective:** July 24, 2005  
May 9, 2005 (Section 5)  
June 30, 2005 (Section 6)  
July 1, 2006 (Section 8)