

# HOUSE BILL REPORT

## HB 1745

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**As Reported by House Committee On:**  
Transportation

**Title:** An act relating to high occupancy toll lanes on state route 167.

**Brief Description:** Addressing the high occupancy toll lanes on state route 167.

**Sponsors:** Representatives Clibborn, Liias, Farrell, Fitzgibbon, Moscoso, Habib, Bergquist, Ryu, Tarleton, Moeller, Riccelli and Fey; by request of Department of Transportation.

**Brief History:**

**Committee Activity:**

Transportation: 2/19/13, 2/21/13 [DPS].

**Brief Summary of Substitute Bill**

- Removes the expiration provisions from high occupancy tolling lanes on State Route 167, and removes the "pilot project" designation.
- Allows the Washington State Department of Transportation to extend high occupancy tolling lanes into Pierce County.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 18 members: Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Bergquist, Farrell, Fitzgibbon, Freeman, Habib, Johnson, Moeller, O'Ban, Riccelli, Ryu, Sells, Takko, Tarleton and Upthegrove.

**Minority Report:** Do not pass. Signed by 12 members: Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel, Hayes, Klippert, Kochmar, Kretz, Kristiansen, Rodne, Shea and Zeiger.

**Staff:** Andrew Russell (786-7143).

**Background:**

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

If authorized by the Legislature, the Washington State Department of Transportation (WSDOT) is empowered to plan, analyze, and construct toll facilities in Washington. The Washington State Transportation Commission is in charge of setting toll rates on these facilities. Any toll revenue may be used only to cover the operating costs of the toll facility, to meet repayment obligations and financing costs, to meet other obligations to provide funding, to provide for the operations of conveying people or goods, or for any improvements to the facility.

In 2005 as part of a pilot program, the WSDOT was authorized to operate high occupancy toll lanes on State Route 167 (SR 167) within King County. The WSDOT charges a toll on these lanes as a means of regulating access to or the use of the lanes in order to maintain speed and reliability. The toll rate changes depending upon the congestion, time of day, traffic volume, and traffic flow, and the WSDOT's goal is to keep an average speed of 45 miles per hour in these lanes. The tolls are in effect from 5 a.m. to 7 p.m.; however, the tolls do not apply to vehicles carrying two or more passengers. Additionally, tolls are not charged to transit buses or vanpool vehicles owned or operated by a public agency.

This pilot program is scheduled to expire on June 30, 2013.

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**Summary of Substitute Bill:**

The high occupancy toll lanes program on SR 167 is no longer a "pilot program" and does not automatically expire. Additionally, the WSDOT is empowered to extend the use of high occupancy toll lanes on SR 167 into Pierce County. Authorized emergency vehicles are now included in the list of vehicles that are not assessed a toll for using the lanes. Several provisions relating to the lanes as a "pilot project" are no longer in the law. Finally, the bill will go into effect immediately upon being signed by the Governor.

**Substitute Bill Compared to Original Bill:**

The original bill would have gone into effect 90 days after adjournment of the session in which it was passed. The substitute bill instead includes an emergency clause, allowing the bill to go into effect immediately upon being signed by the Governor.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill contains an emergency clause and takes effect immediately.

**Staff Summary of Public Testimony:**

(In support) The pilot project showed that this worked pretty well for people. Movement on the general purpose lanes has increased by 10 percent. The lanes are pretty much paying for themselves. It does not make sense to end the project now.

Passage of this bill allows the WSDOT to provide an option for solo drivers to pay a toll for a faster, more reliable trip. It allows the WSDOT to effectively operate the SR 167 corridor. The number of users of these lanes has increased, and this has increased speeds in the general purpose lanes. Revenue is increasing and now exceeds costs of operating these lanes. A SR 167 and Interstate 405 (I-405) corridor will provide a 40-mile express lane system to provide users a reliable north-south trip. Decommissioning the lanes will cost the WSDOT \$1 million.

It is time to end the "pilot project" designation and make it a permanent project. The missing piece, however, is the SR 167 and I-405 interchange, which is the most gridlocked interchange in Washington. This bill makes a lot of sense, but there are missing pieces that need investment and connectivity.

(Opposed) None.

**Persons Testifying:** Representative Clibborn, prime sponsor; Craig Stone, Washington State Department of Transportation; and Doug Levy, City of Kent and City of Renton.

**Persons Signed In To Testify But Not Testifying:** None.