
HOUSE BILL 2071

State of Washington 65th Legislature 2017 Regular Session

By Representatives Clibborn, Muri, McBride, Fey, Rodne, Wylie,
Gregerson, Tarleton, and Morris

Read first time 02/10/17. Referred to Committee on Transportation.

1 AN ACT Relating to establishing state route number 167 as a
2 permanent eligible toll facility; amending RCW 47.56.403; providing
3 an effective date; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 47.56.403 and 2015 1st sp.s. c 10 s 705 are each
6 amended to read as follows:

7 (1) The department may provide for the establishment,
8 construction, and operation of (~~a pilot project of~~) high occupancy
9 toll lanes on state route number 167 high occupancy vehicle lanes
10 within King county. State route number 167 is designated an eligible
11 toll facility, and toll revenue generated in the corridor must only
12 be expended as allowed under RCW 47.56.820. The department may issue,
13 buy, and redeem bonds, and deposit and expend them; secure and remit
14 financial and other assistance in the construction of high occupancy
15 toll lanes, carry insurance, and handle any other matters pertaining
16 to the high occupancy toll lanes (~~pilot project~~).

17 (2) Tolls for high occupancy toll lanes will be established as
18 follows:

19 (a) The schedule of toll charges for high occupancy toll lanes
20 must be established by the transportation commission and collected in
21 a manner determined by the commission.

1 (b) Toll charges shall not be assessed on transit buses and
2 vanpool vehicles owned or operated by any public agency.

3 (c) The department shall establish performance standards for the
4 state route number 167 high occupancy toll lanes ~~((pilot project))~~.
5 The department must automatically adjust the toll charge, using
6 dynamic tolling, to ensure that toll-paying single-occupant vehicle
7 users are only permitted to enter the lane to the extent that average
8 vehicle speeds in the lane remain above forty-five miles per hour at
9 least ninety percent of the time during peak hours. The toll charge
10 may vary in amount by time of day, level of traffic congestion within
11 the highway facility, vehicle occupancy, or other criteria, as the
12 commission may deem appropriate. The commission may also vary toll
13 charges for single-occupant inherently low-emission vehicles such as
14 those powered by electric batteries, natural gas, propane, or other
15 clean burning fuels.

16 (d) The commission shall periodically review the toll charges to
17 determine if the toll charges are effectively maintaining travel
18 time, speed, and reliability on the highway facilities.

19 (3) The department shall monitor the state route number 167 high
20 occupancy toll lanes ~~((pilot project))~~ and shall annually report to
21 the transportation commission and the legislature on operations and
22 findings. At a minimum, the department shall provide facility use
23 data and review the impacts on:

24 (a) Freeway efficiency and safety;

25 (b) Effectiveness for transit;

26 (c) Person and vehicle movements by mode;

27 (d) Ability to finance improvements and transportation services
28 through tolls; and

29 (e) The impacts on all highway users. The department shall
30 analyze aggregate use data and conduct, as needed, separate surveys
31 to assess usage of the facility in relation to geographic,
32 socioeconomic, and demographic information within the corridor in
33 order to ascertain actual and perceived questions of equitable use of
34 the facility.

35 (4) The department shall modify the ~~((pilot project))~~ high
36 occupancy toll lanes to address identified safety issues and mitigate
37 negative impacts to high occupancy vehicle lane users.

38 ~~((Authorization to impose high occupancy vehicle tolls for~~
39 ~~the state route 167 high occupancy toll pilot project expires if~~
40 ~~either of the following two conditions apply:~~

1 ~~(a) If no contracts have been let by the department to begin~~
2 ~~construction of the toll facilities associated with this pilot~~
3 ~~project within four years of July 24, 2005; or~~

4 ~~(b) If high occupancy vehicle tolls are being collected on June~~
5 ~~30, 2017.~~

6 ~~(6))~~) The department of transportation shall adopt rules that
7 allow automatic vehicle identification transponders used for
8 electronic toll collection to be compatible with other electronic
9 payment devices or transponders from the Washington state ferry
10 system, other public transportation systems, or other toll collection
11 systems to the extent that technology permits.

12 ~~((7) The conversion of a single existing high occupancy vehicle~~
13 ~~lane to a high occupancy toll lane as proposed for SR 167 must be~~
14 ~~taken as the exception for this pilot project.~~

15 ~~(8))~~) (6) A violation of the lane restrictions applicable to the
16 high occupancy toll lanes established under this section is a traffic
17 infraction.

18 ~~((9) Procurement activity associated with this pilot project~~
19 ~~shall be open and competitive in accordance with chapter 39.29 RCW.))~~

20 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
21 preservation of the public peace, health, or safety, or support of
22 the state government and its existing public institutions, and takes
23 effect July 1, 2017.

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