

# SENATE BILL REPORT

## SB 5018

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As of March 1, 2019

**Title:** An act relating to replacing the Interstate 405 express toll lanes with a general purpose lane and a high occupancy vehicle lane.

**Brief Description:** Replacing the Interstate 405 express toll lanes with a general purpose lane and a high occupancy vehicle lane.

**Sponsors:** Senators Palumbo and Fortunato.

**Brief History:**

**Committee Activity:** Transportation: 2/26/19.

**Brief Summary of Bill**

- Directs the Department of transportation to convert the Interstate 405 express toll lanes to high-occupancy vehicle lanes with specific occupancy requirements.
- Repeals the Interstate 405 express toll lanes operations account and other authorizing statutes, directing the remaining account balance to be spent on specific projects.

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### SENATE COMMITTEE ON TRANSPORTATION

**Staff:** Erica Bramlet (786-7321)

**Background:** Tolling. The Legislature must authorize a facility as toll-eligible before it may be tolled. The Transportation Commission is the state's tolling authority with responsibility for setting toll rates. The Department of Transportation (DOT) is the operator of the authorized toll facilities. Toll revenues from each facility are deposited into that facility's designated account.

Interstate 405 Express Toll Lanes. In 2015, DOT completed a widening and high-occupancy vehicle (HOV) conversion project and began tolling on the express toll lanes (ETLs) on I-405 between Bellevue and Lynnwood. Solo drivers can use a transponder to enter the lanes and pay a photo toll to travel in the express toll lanes during peak periods. Toll rates for ETLs range between 75 cents and \$10. If the vehicle has three or more people in it, it may travel in

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the ETLs for free if it has a transponder set to HOV mode. The south end of the corridor, between Bellevue and Bothell, has two ETLs each direction, while the north end of the corridor, between Bothell and Lynnwood, has one ETL each direction. As an example of revenues and costs, in fiscal year 2017 the I-405 ETLs generated \$23,248,193, with \$7,945,550 in expenses.

The 2015 Connecting Washington package funded a similar widening and HOV conversion project for the south half of the I-405 corridor, to construct two ETLs each direction between Renton and Bellevue. The legislative project list funds the project at a \$1.23 billion level, with \$215 million of this expected to be toll funding. DOT estimates the south end facility will be open to traffic in 2024.

**Summary of Bill:** DOT is directed to convert the I-405 ETLs to 3+ HOV lanes, with the innermost lane of the two-lane section to be operated as a 2+ HOV lane. Public transportation, vanpool, and private employer transportation service vehicles are exempted from the vehicle occupancy requirements. The ETL account and other authorizing statutes are repealed, with the remaining funds first used to decommission the lanes. Any remaining funds are to be transferred to the motor vehicle fund to be used to construct:

- a parking garage on the existing Canyon Park park and ride footprint; and
- HOV lane direct connector access ramps at Canyon Park.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** The bill contains an emergency clause and takes effect on June 30, 2019.

**Staff Summary of Public Testimony:** PRO: The tolls should be removed and I-405 should be operated with a single 2+ HOV lane each direction, with enhanced friction reduction techniques. The Legislature should support the originally approved I-405 master plan, which promised the taxpayers the new lanes would be general purpose. Changing them to express toll lanes later violated the trust of the voters. The improvements to the corridor have all been from adding capacity, not from the express toll lanes operation. The lanes have failed the two criteria the Legislature set for them.

CON: The idea of 3+ occupancy is good, but would cause more congestion in the general purpose lanes. The loss of toll revenue would mean the I-405 corridor would not be built out, and would negatively impact other tolled facilities which share costs. The express toll lanes are necessary for transit reliability, and have made a positive impact. Operating the corridor with two types of HOV lanes would cause issues for both DOT and State Patrol for enforcement.

**Persons Testifying:** PRO: Victor Bishop, Eastside Transportation Association, Chair Emeritus.

CON: Bryce Yadon, Transportation Choices Coalition; Ed Barry, Toll Division Director, WSDOT.

**Persons Signed In To Testify But Not Testifying:** No one.