



Oregon

Tina Kotek, Governor

Oregon Transportation Commission


Office of the Director, MS 11

355 Capitol St NE

Salem, OR 97301-3871

DATE: November 20, 2024

TO: Oregon Transportation Commission



FROM: Kristopher W. Strickler
Director

SUBJECT: **Agenda Item H** – Toll Rulemaking

Requested Action:

Approve proposed rules on toll project designation and rate setting.

Background:

Throughout 2023, ODOT undertook the development of rules related to tolling, including tollway project designation, toll rate setting, customer accounts, and exemptions and discounts. ODOT worked with a Statewide Toll Rulemaking Advisory Committee (STRAC) made up of diverse customers to develop the rules and also held multiple discussions with the Commission about the content of the rules. The rules were originally planned to go out for public comment and then to the Commission for approval this spring, but with Governor Kotek's direction to pause on tolling, we put this on hold.

In the months after the tolling pause, ODOT examined the rules to determine which sections are needed to allow the Commission to work with the Washington State Transportation Commission (WSTC) to set toll rates and have Washington State Department of Transportation's (WSDOT's) Toll Division collect tolls on the Interstate Bridge Replacement Program. ODOT has identified a number of sections that need to move forward in a reduced scope rulemaking, including sections related to approving tollway projects, toll rate setting, and toll rate review. The rules that are proposed to move forward are substantially the same as those the Commission previewed last year, with the addition of a section intended to close a gap in the department's process of accepting unsolicited toll proposals from the private sector under the Oregon Innovative Partnerships Program, and with the removal of multiple sections related to customer accounts and exemptions and discounts as these issues do not need to be addressed through rules at this time for tolling the Interstate Bridge.

After a discussion on the draft rules at the August Commission meeting, ODOT put these rules out for public comment in September. ODOT engaged in a number of outreach efforts during the public comment period, including:

- Multiple e-mails to multiple e-mail distribution lists alerting people to the opportunity to comment on the draft toll rules.

- Two online public hearings.
- A conversation with the STRAC about the changes to the toll rules since the committee completed its work.

Through this process, ODOT received over 100 comments, primarily through e-mail. The vast majority of the comments opposed tolling in general or commented on tolling in specific locations but did not address the specific rules other than to express opposition to any action to set tolls. ODOT did receive a number of substantive comments on the draft rules and has proposed several changes, particularly in response to comments by local governments about the need to address traffic diversion in the facility designation, rate setting, and performance review process.

Additional rulemaking will be necessary in the future to officially set rates for the Interstate Bridge. ODOT may also need to incorporate additional rules related to toll enforcement to ensure that WSDOT can effectively collect tolls levied on Oregonians.

Outcomes:

With approval of the proposed rules, ODOT will bring the Interstate Bridge Replacement Program's application for designation as a tollway project to the Commission in January so that the toll rate setting process undertaken by the OTC and WSTC through the Bi-State Toll Subcommittee can continue. Alternately, the Commission could direct ODOT to make additional modifications to the proposed rules prior to approval.

Attachments:

- Attachment 01 – Final Toll Program Revised Rules.
- Attachment 02 – Toll Rules Public Comment Summary.
- Attachment 03 – CTUIR Comments on Proposed Rules.
- Attachment 04 – Cowlitz Tribe Comments on Proposed Rules.
- Attachment 05 – James Santee Comments on Proposed Rules.
- Attachment 06 – Clackamas Co. Comments on Proposed Rules.
- Attachment 07 – Metro Comments on Proposed Rules.
- Attachment 08 – Metro Comments Exhibit A.

**Department of Transportation
Chapter 731
Division 40
TOLLWAY PROJECTS**

731-040-0010

Purpose

- (1) OAR 731, division 40, describes the process for initiating, evaluating, authorizing and administering Tollway Projects on state right of ways proposed by private entities, local or regional governments, the Oregon Department of Transportation, and combinations thereof.
- (2) OAR 731, division 40, includes requirements for submitting project proposals; guidelines for considering financial and other issues; requirements for consistency with other state and federal policies and processes; and the establishment and adjustment of toll rates by the Oregon Transportation Commission.

Statutory/Other Authority: ORS 184.619, 383.004 & 383.015

Statutes/Other Implemented: ORS 383

History: DOT 5-2012, f. & cert. ef. 7-19-12

DOT 3-1997, f. & cert. ef. 12-29-97

731-040-0020

Definitions

As used in these OAR 731, division 40, rules:

- (1) “Commission” means the Oregon Transportation Commission.
- (2) “Department” means the Oregon Department of Transportation.
- (3) “Director” means the Director of the Oregon Department of Transportation, or the Director’s designee.
- (4) “Interstate bridge” means a bridge over both a waterway that contains a boundary line with another state and the boundary line.
- (5) “OIPP Partnership Agreement” means a public-private partnership under the Oregon Innovative Partnership Program, as defined in OAR 731-070-0010.
- (6) “Outcome equity” means acknowledging existing inequities and striving to prevent historically excluded and underserved communities identified at the project-level from bearing a disproportionate burden of negative effects that directly result from

the project, and seeking to improve transportation accessibility, options for travel, **community health**, and affordability for the identified community or communities.

- (7) "Private entity" has the meaning given in ORS 383.003.
- (8) "Process equity plan" means a plan for implementing a Tollway Project, from design to post-implementation monitoring and evaluation, that encourages the meaningful participation of individuals and groups from historically excluded and underserved communities, as identified for the Tollway Project.
- (9) "Related facility" has the meaning given in ORS 383.003.
- (10) "Toll" has the meaning given in ORS 383.003.
- (11) "Tollway operator" has the meaning given in ORS 383.003.
- (12) "Tollway project" has the meaning given in ORS 383.003.
- (13) "Tollway Concept Proposal" or "TCP" means an unsolicited preliminary proposal for a tollway project that is used to investigate the project's feasibility and potential impacts and benefits.
- (14) "Unit of government" has the meaning given in ORS 383.003.

Statutory/Other Authority: ORS 184.619, 383.003, 383.004, 383.014 & 383.015

Statutes/Other Implemented: ORS 383

History: DOT 5-2012, f. & cert. ef. 7-19-12
DOT 3-1997, f. & cert. ef. 12-29-97

731-040-0030

Administrative Fees for Unsolicited Tollway Concept Proposals

- (1) A private entity, individual or unit of government may submit an application for review of an unsolicited Tollway Concept Proposal at any time. A private entity or individual must pay an administrative fee of \$5,000 to the Department for the Department's review of an unsolicited TCP. The fee to submit a revised Tollway Concept Proposal for Department review is \$2,500. Administrative fees are due and payable at the time of application submission. Applications submitted without the fee will not be reviewed by the Department. A unit of government is not required to pay an administrative fee for the review of an unsolicited TCP.

Statutory/Other Authority: ORS 184.619 & 383.015

Statutes/Other Implemented: ORS 383

History: DOT 5-2012, f. & cert. ef. 7-19-12
DOT 3-1997, f. & cert. ef. 12-29-97

731-040-0031

Initiation Process for Unsolicited Tollway Concept Proposals

- (1) This rule applies to unsolicited TCPs from private entities, individuals and units of government, pursuant to ORS 383.015.
2. Any administrative fees described in OAR 731-040-0030 must accompany the application. The Department will publish the requirements for content and format of a TCP application on the Department's website. Requirements include but are not limited to:
 - a) Information about the applicant entity or consortium of entities (private, public or a combination) including financial information, experience in transportation infrastructure development, public-private partnerships, or federal-aid highway construction.
 - b) A description of the proposed Tollway Project scope, location, and all proposed interconnections with other transportation facilities; the key risks and assumptions associated with the Project.
 - c) A description of any work completed to develop the Tollway Project, including planning, environmental analysis, or preliminary engineering.
 - d) A discussion of support or opposition from local governments and communities impacted by the project, the significant social and economic benefits and burdens of the project.
 - e) A discussion of project financing, including secured or pledged funds, and their source, anticipated public funding, including funds sought from the Department.
- (2) The Department will review the TCP and make a recommendation to the Commission based on the criteria in ORS 383.015.
- (3) Based on the agency recommendation, the Commission may:
 - (a) Approve the proposed concept for further development into a full tollway project through a competitive solicitation for an OIPP project or a Department-initiated tollway project; or
 - (b) Reject the proposal.
- (4) A Tollway Concept Proposal may be revised and re-submitted by the proposer for Department reconsideration and recommendation to the Commission once, unless

otherwise directed by the Commission or Department. The resubmittal fee described in 731-040-0030 must accompany the resubmitted proposal.

Statutory/Other Authority: ORS 184.619 & 383.015

Statutes/Other Implemented: ORS 383.015

History:

731-040-0039

Authorization of Tollway Projects

- (1) This rule applies to all proposed tollway projects.
- (2) The Department will evaluate a proposed tollway project and provide findings and a recommendation to the Commission. The Department may not recommend authorization of a tollway project unless the Department makes one of the findings described in ORS 383.015(3).
- (3) The Commission will review the proposed tollway project, the Department's findings and recommendations, the factors identified in ORS 383.015(2), and consider the following:
 - (a) How the proposed tollway project will coordinate tolling with existing and potential new transportation services or investments to address congestion on the tollway.
 - (b) How the proposed tollway project will incorporate process equity and outcome equity into the project's design, implementation, and operations.
 - (c) The effects of tollway implementation on community and local traffic, their magnitude and expected impacts to livability.**
- (4) Upon review of the proposed tollway project, the Commission will authorize, authorize with conditions, or reject the proposal. A Commission decision is issued in writing.
- (5) A proposal may be revised and re-submitted by the proposer for Department reconsideration and recommendation to the Commission once, unless otherwise directed by the Commission or Department.

Statutory/Other Authority: ORS 184.619 & 383.015

Statutes/Other Implemented: ORS 383

History: DOT 5-2012, f. & cert. ef. 7-19-12

DOT 3-1997, f. & cert. ef. 12-29-97

731-040-0041

Authorization of Tollway Projects on Interstate Bridges

- (1) This rule applies to all proposed tollway projects to establish tolls on an interstate bridge that is or will be a state highway under the Department's jurisdiction, including proposals submitted by the Department and proposals submitted jointly with the Department under the authority of ORS 381.010 (Columbia River bridges) or ORS 381.098 (Snake River bridges). These tollway projects are also subject to the requirements of OAR 731-040-0039.
- (2) The Department will consider the factors identified in OAR 731-040-0039 in evaluating the proposal and provide findings and a recommendation to the Commission. The Department may not recommend authorization of a tollway project unless the Department makes one of the findings described in ORS 383.015(3).
- (3) The Commission will consider the tollway project proposal, the Department's findings and recommendations, and all of the following:
 - (a) Whether another state has any authority over the bridge.
 - (b) Whether the proposal has been authorized, or is expected to be authorized, by the governing body with jurisdiction over the proposal in the other state linked to Oregon by the bridge.
 - (c) Whether the proposal is consistent with any conditions imposed by the governing body with jurisdiction over the proposal in the other state, if any.
 - (d) Whether the proposer has legal authority to implement the project in the other state, and if not, the level of coordination between the proposer and the entity having such authority.
- (4) The Commission will authorize, authorize with conditions, or reject the proposal. A Commission decision is issued in writing.
- (5) A proposal may be revised and re-submitted by the proposer for Department reconsideration and recommendation to the Commission once, unless otherwise directed by the Commission or Department.

Statutory/Other Authority: ORS 184.619 & 383.015

Statutes/Other Implemented: ORS 383

History: DOT 5-2012, f. & cert. ef. 7-19-12

DOT 3-1997, f. & cert. ef. 12-29-97

731-040-0050

Process for Approving Initial Rates on Tollways

- (1) This rule applies to all proposals to approve initial toll rates on an authorized tollway project, including proposals submitted jointly with the Department under an OIPP agreement.
- (2) The operator must create a process equity plan prior to submitting a proposal for initial rates and the rate proposal must include feedback on the proposed rate obtained by engaging with communities identified in the process equity plan.
- (3) The toll rate proposal must include an evaluation of how outcome equity has informed the design of the proposal and plans for how it will inform the implementation and operation of the tolled facility.
- (4) The Department will evaluate the toll rate proposal and provide a recommendation to the Commission.
- (5) When establishing initial toll rates, the Commission must consider the Department's recommendations and the factors described in ORS 383.004 and set rates to address the following:
 - (a) The cost of toll operations and improvements, preservation, and maintenance of the tollway project, tollway, and related facilities, including paying any debt service issued to finance tollway projects.
 - (b) Management of congestion to desired thresholds, as established for the tollway **and adjacent roadways**, including but not limited to, travel times, speeds, reliability, increasing accessibility, reducing greenhouse gas emissions, and avoiding, to the extent practicable, the reduction of existing service levels on the tollway.
- (6) In addition to the factors described in section (5) of this rule, the Commission may consider:
 - (a) Authorizing toll reductions or exemptions. The reduction or exemption may be limited and directly related to the needs for operation, maintenance, safety, person-carrying capacity of the roadway, or for emergency response. **The Commission may also consider a reduction or exemption for low-income households or for tribal members and tribal government vehicles.**
 - (b) Simplifying the rate structure to help with communication and public understanding, which may include minimizing the number of different rates, limiting rate changes throughout the day, or rounding rates to the closest 5 cent increment.
 - (c) Determining how or if to apply toll rates for overnight and non-congested periods.

- (d) Structuring rates to encourage users to shift trips to less busy times of day, telecommute, or use other modes of transportation, such as public transportation, carpools, biking, and walking.
 - (e) Setting rates based on vehicle classification, in accordance with requirements for fairness and proportionality between classes of vehicles, as provided in Article IX, section 3a(3), of the Oregon Constitution.
- (7) The Commission will approve, conditionally approve, or disapprove a proposal to establish initial toll rates. A Commission decision is issued in writing.

Statutory/Other Authority: ORS 184.619 & 383.004

Statutes/Other Implemented: ORS 383.004, 383.035

History: DOT 5-2012, f. & cert. ef. 7-19-12

731-040-0051

Process for Approving Initial Toll Rates on Tollways on Interstate Bridges

- (1) This rule applies to a proposal to approve initial toll rates on an interstate bridge that is or will be a state highway under the Department's jurisdiction, including proposals submitted by the Department, or jointly with the Department under ORS 381.010 (Columbia River bridges), or ORS 381.098 (Snake River bridges). Approval of tolls on interstate bridges is also subject to the requirements of OAR 731-040-0050.
- (2) The proposal must be submitted to the Department for review. The Department will consider the factors identified in OAR 731-040-0050 in evaluating the initial toll rate proposal and provide a recommendation to the Commission.
- (3) The Commission will consider the Department's recommendation, the factors identified in OAR 731-040-0050, and all the following:
 - (a) Whether another state has any authority over the bridge.
 - (b) Whether the proposal has been authorized, or is expected to be authorized, by the governing body with jurisdiction over the proposal in the other state linked to Oregon by the bridge.
 - (c) Whether the proposal is consistent with any conditions imposed by the governing body with jurisdiction over the proposal in the other state, if any.
 - (d) Whether the proposer has legal authority to implement the project in the other state, and if not, the level of coordination between the proposer and the entity having such authority.

- (6) The Commission will approve, conditionally approve, or disapprove a proposal to establish initial toll rates. A Commission decision is issued in writing.

Statutory/Other Authority: ORS 184.619, 381.010, 381.098 & 383.004

Statutes/Other Implemented: ORS 383

History: DOT 5-2012, f. & cert. ef. 7-19-12

731-040-0056

Process for Approving Revised Tolls, Generally

- (1) This rule applies to a tollway operator, including a tollway operator operating jointly with the Department under an OIPP agreement.
- (2) Proposals to revise toll rates shall include analysis and documentation of the following:
 - (a) How the proposed toll rate revisions account for the factors in OAR 731-040-0050.
 - (b) Feedback gained from engagement with communities identified in the process equity plan on the revised toll rates.
 - (c) How outcome equity will be impacted by the revised toll rates; and
 - (d) Explaining revisions to the toll rates, toll exemptions, reductions, or toll rates for different vehicle classifications.
- (3) The Department will consider the operator's performance review(s), described in OAR 731-040-0065, evaluate the proposed toll rate revisions and provide a recommendation to the Commission.
- (4) The Commission will review the Department's recommendation and approve, conditionally approve, or disapprove a proposal to revise toll rates. A Commission decision is issued in writing.

Statutory/Other Authority: ORS 184.619 & 383.004

Statutes/Other Implemented: ORS 383

History: DOT 5-2012, f. & cert. ef. 7-19-12

731-040-0061

Process for Approving Revised Tolls on Interstate Bridges

- (1) This rule applies to a tollway operator's proposal to revise the tolls on a tollway on an interstate bridge that is or will be a state highway under the Department's

jurisdiction, including proposals submitted by the department, or jointly with the department under ORS 381.010 (Columbia River bridges) or ORS 381.098 (Snake River bridges). Approval of revised toll rates on these interstate bridges is also subject to the requirements of OAR 731-040-0056.

- (2) The Department will consider the operator's performance review(s), described in OAR 731-040-0059, evaluate the proposed revisions and provide a recommendation to the Commission.
- (3) The Commission will consider the Department's recommendation, and all of the following:
 - (a) Whether another state has any authority over the bridge.
 - (b) Whether the proposed toll schedule has been authorized, or is expected to be authorized, by the governing body with jurisdiction over the project in the other state linked to Oregon by the bridge.
 - (c) Whether the proposal is consistent with any conditions imposed by the governing body with jurisdiction over the proposed toll schedule in the other state, if any.
 - (d) Whether the proposer has legal authority to approve the toll schedule in the other state, and if not, the level of coordination between the proposer and the entity having such authority.
- (4) The Commission will approve, conditionally approve, or disapprove a proposal to revise toll rates. A Commission decision is issued in writing.

Statutory/Other Authority: ORS 184.619, 381.010, 381.098 & 383.004

Statutes/Other Implemented: ORS 383

History: DOT 5-2012, f. & cert. ef. 7-19-12

OAR 731-040-0062

Tolling System Compatibility with the State of Washington

Toll collection and enforcement systems used on tollways in Oregon shall be interoperable with toll collection and enforcement systems used in the State of Washington to the extent technology permits.

Statutory/Other Authority: ORS 383.014

Statutes/Other Implemented: ORS 383

History:.

OAR 731-040-0064

Civil Penalties for Failure to Pay a Toll

(1) In addition to any other penalty or sanction provided by law, a person who is required to pay a toll as described in ORS 383.035 and fails to pay a toll established pursuant to ORS 383.004, shall pay to the department, for each unpaid toll:

(a) The amount of the toll;

(b) For the first unpaid toll, a civil penalty of \$15; and,

(c) For each subsequent unpaid toll: The limit provided in ORS 383.035;

(2) Each time a bill is sent to a person for an unpaid toll, an administrative fee of \$2 shall be assessed as reimbursement for labor, materials, printing and postage expenses.

(3) An unpaid toll will be considered a subsequent unpaid toll if the person was assessed a civil penalty for an unpaid toll within three years of the unpaid toll under consideration.

(4) Civil penalties and administrative fees assessed under this rule shall be collected as provided in ORS 183.745 and according to the procedures in OAR 137-003-0501 to 137-003-0700.

(5) The department shall refuse to renew the motor vehicle registration of the motor vehicle owned by a person who at the time of application for registration has unpaid tolls, civil penalties or any administrative fees charged under this section.

Statutory/Other Authority: ORS 184.616, 184.619, 802.010, 383.035, 383.055

Statutes/Other Implemented: ORS 383.035, 383.055

History: DOT 5-2012, f. & cert. ef. 7-19-12

731-040-0065

Tollway Operator Performance Review

(1) This rule applies to tollway operators, including those operating jointly with the Department under an OIPP agreement.

(2) A tollway operator shall provide a written annual performance review of the tollway to the Department and Commission no later than one year from the date of commencing operations. Subsequent annual reviews shall cover a state fiscal year and be due after the end of the fiscal year. If the tollway operator intends to propose revised toll rates in the coming fiscal year, the tollway operator shall include the

analysis and documentation described in OAR 731-040-0060(2) in the review.

(3) The written annual performance review must include the following:

- (a) Revenue and administration costs for the tollway project and tollway.
- (b) Status of tollway project investments, financing requirements, and needs for maintenance, operations, preservation, and rehabilitation.
- (c) A report on mobility and safety of the tollway and adjacent roadways included in the tollway project footprint and any changes to travel patterns associated with imposing tolls.
- (d) Overall amount of tolls collected, and tolls collected, including tolls owed, by vehicle classification.
- (e) Information on transportation mobility and air quality, where monitoring data is available, that would inform the Department's pursuit of state greenhouse gas emissions reduction and air quality goals.
- (f) Number and classification of vehicles receiving reductions and exemptions, the impact of reductions and exemptions to revenue and administration costs.
- (g) If a low-income toll program applies to the tollway, the number of vehicles enrolled in a low-income toll program as a percentage of the estimated number of potentially qualifying customers for that tollway, the impact to revenue and administration costs, and a report on the aggregate travel patterns of vehicles participating in a low-income toll program.
- (h) Information on vehicle trip counts and transit passenger counts, both on the tolled facility and adjacent facilities that may experience diversion as a result of tolling.**

Statutory/Other Authority: ORS 184.619, 381.010, 381.098, 383.004

Statutes/Other Implemented: ORS 383

History:

731-040-0075

Customer Data

- (1) Customer records and information used to collect and enforce tolls follow the disclosure requirements specified in ORS 383.075.

- (2) Public records request fees and requirements for the Department are described in OAR 731-001-0025.
- (3) An individual requesting customer records or data must submit a request in writing as prescribed by the Department, which is identified on the Department's webpage. The request must include:
- a. Government issued identification to verify the identity of the requestor.
 - b. Information demonstrating that the requester is one of authorized individuals or entities that may access driver records and information used to collect and enforce tolls, as is identified in ORS 383.075(2) and (3).
 - c. A description of the requester's intended use of the information and how that intended use will conform to the requirements in ORS 383.075.
- (4) The Department may disclose the requested records if the Department is satisfied that requester has provided reasonable assurances that the requester's identity, uses of the information, and any applicable permissions comply with the requirements of this rule and ORS 383.075.

Statutory/Other Authority: ORS 383.075, 192.324, 183.413 to 183.470, 183.745

Statutes/Other Implemented:

History:


Oregon Department of Transportation
Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
1	8/26/2024	Letter	Gary I. Burke, Board of Trustees Confederated Tribes of the Umatilla Indian Reservation	See attached letter.
2	9/2/2024	Email	Mary Jane Mathews	To whom it may concern: We don't need another way to collect road taxes-- that is more expensive. We already have a way to collect road taxes-- DMV. Please stop all Toll Roads in Oregon. Thank you for listening to me.
3	9/2/2024	Email	Emery Ingham	No Tolls on existing infrastructure, EVER!
4	9/2/2024	Email	Kress Drew	Thank you for taking comments from the public regarding the latest exploration of limited tolls for roads in the state of Oregon. Please do not place a toll on any roads in Oregon. Please find a different way to raise revenue. Please consider higher gas tax or a tax on electric cars which I believe are causing a drop in state revenue because they do not pay a gas tax. I am deeply grateful Governor Kotek stopped the plan to toll roads earlier. Please tell her thank you for me. Again, please do not toll our roads in the state of Oregon. Thank you for your time and the work you do to help make our roads in the state of Oregon safe to travel.
5	9/3/2024	Email	William Welborn Portland Oregon	No TOLLS. I would rather have traffic than tolls. Shut down other programs if you need money the taxpayers can't afford this anymore. This plan would basically take 100% of my disposable income and I imagine it would be worse for people at the bottom of the economic spectrum. Shut down other programs if you think this is the priority. The few of us hard working people can't support anymore!!!! NO TOLLS!!!!!! At the very least there should be a statewide public vote. Respectfully, William Welborn Silverton Oregon (I commute to Portland every day)
6	9/3	Email	Thomas Brandt	There should be no tolls for the I5 and I205

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
7		Email	Donna Hubbard	Tolls are another tax we can't afford. We are already struggling as families to purchase basic necessities. We pay gas taxes. No to any tax to drive over a bridge. 5 cents each way at most. Money for wars you have money for infrastructure! End the billions to Ukraine and Israel and all the money now paying for illegal immigrants housing cost.
8		Email	Jordan Lund	I don't think anyone has a problem paying a toll with a specific purpose in mind and a specific expiration point. You need to pay for a bridge? Sure, put a toll up, and when the bridge is paid for, you make the toll go away. Heck, gamify it. Put up a reader board showing how much has been collected towards the total. Give prizes for "100,000th toll paid!" or whatever. What people do NOT want is a nebulous toll, for unspecific reasons, with no end point. We've all heard the stories of toll bridges that paid for themselves 14 times over or taxes that were still being collected for the Spanish American War. https://mspolicy.org/still-paying-the-spanish-american-war-temporary-tax/ Nobody is going to support tolls without end.
9		Email	Randy B	No tolling. At all. That's why we pay gas taxes.
10		Email	John	To be clear: There should be NO TOLLS on anything but the new interstate bridge. No tolling whatsoever on any existing infrastructure, including 1-205, or I-5. I will support any ballot measure that addresses these issues.
11		Email	Peter Wallmark	I am not in favor of any toll road measures. I would support an increase in the Oregon Auto Registration fee. We live in Charbonneau and must go over the Boone Bridge for shopping etc. This fact was the reason we opposed the tolling measure proposed earlier and is the reason we will oppose toll road measures going forward.

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
12		Email	Peter Wallmark and Douglas Little	We are not in favor of any toll road measures. We would potentially support an increase in the Oregon Auto Registration fee. We live in Charbonneau in Wilsonville and must go over the Boone Bridge for shopping etc. This fact was the reason we opposed the tolling measure proposed earlier and is the reason we will oppose toll road measures going forward.
13		Email	Shannon Hofeld.	I would like to say that I do not agree with the idea of road tolling! We are charged a lot of taxes in every gallon of gas we purchase and yet those funds are being diverted and not used to pay for road maintenance. I do not believe we should pay more to use the roads available to us. I also believe that if you start tolling bridges like the Abernathy it will cause more traffic diverted through neighborhoods not designed for traffic to avoid the tolls. This will cause increasing chances of accidents between pedestrians, children and local residents. There are no real alternate routes you can use to avoid using Said bridges so it will be an additional hardship for workers and people who live in the areas that need to pass to again goods and services for daily life. We are one of the highest taxed states in the union and we don't need any more taxes / tolls to add to the difficulty of just trying to provide for our family's. There are too many people who don't make ends meet now what would a toll on their commute for work do to them? I vote no on Tolls!
14		Email	Jacob Hyman	Hi, I'm a homeowner in North Portland near the I-5 corridor and I'm writing in support of the tolling rules as proposed. I'm frustrated with the lack of progress on this project; the interstate bridge (and frankly several other roads) should have been tolled years ago and I think it is disappointing how impossible OR and WA politics have made this project. I encourage you to approve of these rules and work as quickly as possible to get this program generating income and reducing congestion.
15		Email	Steve Daiker	Why are you wasting the taxpayers money, having all these government employees wasting their time investigating "rules", for tolling. It's obvious that Oregon taxpayers do not want tolls—period.
16		Email	Kelly J	Myself, my family are adamantly opposed to any tolls bridges or toll routes in Oregon. We are already one of the most heavily taxed states in the Union. Normally a toll is established to offset construction cost to build a new bridge, theoretically the toll is removed once the bond is paid off. However, we know how corrupt the

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
				<p>Oregon Governor and Legislature is and absolutely know that once a toll is established it will never be removed. You don't need to have a toll to build a bridge, you need to find a revenue neutral source of funding, Cut something we don't need. We don't need about half of the employees the State has. Increase responsibilities, give a modest bump to pay for those who remain and save the other 75% salary of those who have been pink slipped. We don't need new State Police Vehicles every two years. Make them drive them five years just like I have to.</p> <p>Look for Federal subsidies and infrastructure fund. Congress has allocated them, Knock the snot out of Ron Wyden until he get the money.</p> <p>Absolutely drop the interest in putting light rail and bicycle lanes across the river. They don't pay road taxes. WE do. Furthermore Clark County does not want light rail as it is a conduit to criminal activity. They have been very clear on this. Build a bridge but just for cars and trucks, with a pedestrian walkway on one side. Build it plain, no frills, no artsy crap, just a solid steel bridge that will last 80 years.</p> <p>But under no circumstances should we enact toll roads of any kind. We don't want them!! That is WE the people, not we the developers and building companies and corrupt politicians who get a kickback on every project. And yes they do get kick backs. I personally bribed many official on government jobs in the 1980's while working for a fortune 500 technology company.</p>
17		Email	Joan Berry	<p>Please take into consideration those of us who live on Hayden Island when it comes to tolling. Many of us have physician's, etc., in Washington and our nearest grocery store and bank branch is accross the bridge as well. Having to pay a toll to buy groceries or to see a doctor seems excessive and I hope that you will accommodate us. Perhaps a "zero pay" easy pass for island residents would be easy to implement.</p> <p>Thank you for your consideration.</p>
18		Email	Dan Mills Independent Owner Operator Oregon City Grocery Outlet.	<p>Please do not go through with the tolls . It will cause many cars to go through our neighborhoods and create a traffic nightmare. It will also be a financial hardship and just one more cost of living added on to those that are already struggling. Please cut the 60 million spent on homelessness in Portland and spend 30 million of it on roads. That would solve the problem. The money is there, stop wasting it and use it correctly. We do not need another tax or cost of living increase. Listen to the song by Oliver Anthony Rich men of North Richmond. Let it be your guide.</p>

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
19		Email	Ross Tovey	There should be no tolls. It's only going to force traffic onto surface streets. It's also not fair to commercial traffic that makes several trips through the area in a single day. Many truckers have deliveries in SW Washington which forces them to go through the area multiple times a day resulting in multiple toll penalties
20		Email	Greg Daiker Molalla Oregon	Please realize the ramifications of added expenses to businesses, commuters, travelers, etc. Haven't we had enough with rising costs from school bonds, PGE rates, fuel groceries, taxes, insurance, and etc? How about we live within our current budget, cut costs, reduce handouts, reduce waste, perform audits, hold people accountable, etc. I'm not eloquent but I think I've made my point of view known.
21		Email	Amy Ingham	<p>No tollways should be enacted if there is any way for motorists to take adjacent roads to avoid them. It's extremely detrimental to residents and businesses to have their regular routes inundated by toll avoiders. Clearly this was the biggest outcry to the I205 tolling and for good reason. It is not fair and it is not equitable and it is not morally right to take away the rights of the people that live near these routes that would most definitely be used by motorists to avoid paying tolls.</p> <p>In my mind the interstate bridge is an acceptable tollway, providing that the tolling ends once the bridge is paid for. There is no way to avoid a toll there by taking residential roads. Very focused funding. As long as the operators of the tolling collection are not earning more than they should for doing it, as has been noted for Oregon projects and projects in other states. It seems like more money is going to managing the tolling than is going to the projects themselves.</p> <p>Last, the forecast expenditures for these projects need to be a lot more accurate and please quit spending our money trying to figure out how to toll. Just do a mileage tax. The more you drive the more you wear and tear the roadways, the more you pay. The people of Oregon are always going to push back hard on tolling. Figure out something else. I think we already pay more than we should, it seems more like mismanagement of funds more than lack of funds. Budget, anyone?</p>
22		Email	Jacob Spindel	<p>Please do not institute any toll roads in Oregon. Working Oregonians are already struggling and cannot afford housing here. Tolls are like kicking us when we're down.</p> <p>There are plenty of better options for raising money, such as taxing millionaires and their corporations, or defunding the catastrophe known as "Trimet."</p>

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
23	9/3/2024	Letter	William B. Iyall, P.E. Tribal Chairman, Cowlitz Indian Tribe	See attached letter.
24	9/4/2024	Email	Edward Wolfe	I see toward the end of the proposed rules for tolling that you intend to make collections sync with Washington State toll collection technology where possible. Thank you for that. Washington State's "Good To Go" toll collection system works extraordinarily well, much more smoothly than toll collection systems I have seen and experienced in other states. This is a smart move and will benefit you greatly in the end. I urge you to keep the goal of integrated toll collection systems in mind as you move toward implementation.
25		Email	Lourdes Longo	Fuck you and your tolling. Is that simple enough? Learn how to spend wisely.
26		Email	Jeffry R. Fisher	Hi ODOT, You could have warned us that, except for non-payment penalties, these rules are a voluminous hollow framework seemingly devoid of any actual toll amounts, toll locations, directions of travel to be tolled, hours/days to be tolled. In fact, I could not find any mention that day of the week, time of day or direction of travel should even be considered in whether, where or how much toll would be charged except that Oregon has a particular interest in tolling interstate bridges. And this is my objection to the rules. After years of talking about reducing traffic congestion by setting demand-sensitive tolls, the mask slips and ODOT reveals that all it really wants is to extract money from Washington State commuters, particularly by charging tolls 24/7 for entering Oregon via the bridges across the Columbia. My representatives in both DC and Olympia are hearing about this violation of US Constitution's dormant commerce clause and Oregon's attempt to tax citizens of Washington State.
27		Email	Elly Love	No on any tolls or more tolls...our state taxes are high enough

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
28	9/4/2024	Email	David Strantz	I have traveled to states like Florida that have toll roads. All the locals know how to avoid them. Most of the money will go to implementation of the toll. with only a small portion going to bridge work. The Interstate bridge should be set up so everyone payes FAIRLY, Including WASHINGTON and non Oregonians. Clackamas county should pay the bulk, like Multnomah county did on the SELLWOOD bridge.--for the work done on 205. We paid for it with registration fees. Thanks for listening.
29		Email	Owen Steere	No to toll roads. Find a less regressive way to fund highway maintenece.
30		Email	David Potts & Char Pennie Lents Neighborhood Livability Association LNLA	Tolls are another way for ODOT to force us to pay for the electric vehicles that the state is pushing. Why not add a weight tax to the EV's along with a weight tax to the heavy trucks and SUV's? Why tax everyone for using the roads. People who HAVE to drive for work will be impacted, which includes ALL of your construction workers & maintenance crews. Like Portland banning gas blowers which impacts the landscapers. Why does this state keep saying we care about our impacted population and then impacts them some more? WTH
31		Email	James Santee	Letter to Rep. Cyrus Javadi—See attached
32	9/5/2024	Email	Ron G	Don't do it, Period!! It will solve nothing, but send everyone thru small urban area's causing a ripple effect of problem's. This a money grab situation, ODOT can find other available funds, it's a money management issue, not a lack of!!!
33		Email	Stephanie Boyce	NO TOLLS!!!!!!!!!!
34		Email	Mike D	To enact tolls on the populace should only ever be voted in by the people. No tolls in Oregon forever. I pay for the road with my taxes, I should not have to pay to use what is already mine. Get a better finance team where tolls aren't needed. If the people don't vote for it, the people shouldn't have to be subjected to it like beasts in a cage.

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
35		Email	Abe	I'd like to comment that I am in support of an authorization of tollway projects and tollway on IBR, plus the process of setting initial toll rates.
36	9/7/2024	Email	W. Alex Cross	Focus on the long term benefits. Take politics out of the equation. Show how fuel taxes in both states have contributed to the budget. Stick to whatever timeline you present.
37	9/8/2024	Email	Erik Dunkle	Hello, I am 100% against tolling on Oregon roads. This is a terrible idea. This will increase traffic on secondary roads and through neighborhoods. We pay taxes already to fund the roads. This will hit low income people very hard. ODOT has not provided road services in the past and will not with more money. Downsize ODOT by 90% to save money. I am against tolling Oregon roads!
38		Email	No name provided	You fucking communists!!!! Get your slimy, two-faced, globalist hands off my money. There's not going to be any tolling facility on that bridge.
39		Email	Joel Hurd	I am totally against allowing tolls.
40	9/9/2024	Email	Amy Altenberger	As someone who lives less than half a mile from I-5 in N Portland, I drive the I-5 corridor daily. I do not want tolls on I-5. I don't want to pay double for something. I'm already paying a gas tax and car registration fee, tolls would essentially add another tax. I have to drive as I am a home health care worker and drive to people's houses. So I will be impacted daily by this plan. I can't afford it. My other worry is that cars will get off prior to the toll and drive through the neighborhood to prevent paying. This currently happens during rush hour. People drive up Interstate or MLK thinking it will be faster than driving I-5. I know you think peak tolling will work but this will only add to the problem as people will just drive through the neighborhoods. People can't change their work hours. I have seen this happen in Seattle for the tunnel on highway 4. People just get off and wiggle their way through downtown.


Oregon Department of Transportation
Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
				Please find a better solution. I do like the widening of I-5 at the rose quarter. That is a mess as someone who drives it daily can tell you. Plus the getting onto I-5 S needs to be metered at all times. It is crazy with people trying to get on the freeway and others trying to get onto I-84.
41		Email	Lisa Testori-Sobolewski	I am requesting there is no toll for pedestrians or bikes on the I-5 bridge
42		Email	Amanda Nicusor	I am a resident of Hayden Island in Portland. At some point there was discussion of toll discounts and I would like to find out if there are any plans to offer passes or discounts to the residents who have to pass a bridge in order to access their homes? I would also like to find out how much the proposed tolls will be for each bridge to enter and exit Hayden Island.
43	9/10/2024	Email	Rhonda Boone	I oppose all tolling.
44	9/11/2024	Email	Kathryn Atkinson	The proposed toll of the Abernathy Bridge will unfairly impact the residents and business owners of West Linn, Oregon City and Milwaukie. The traffic on highway 43 is a nightmare as it is without tolling creating heavier impacts with people bypassing the tolls.
45		Email	Camille Komine	I implore you not to put a toll on the 205 at the Abernathy Bridge. As a resident of West Linn I can tell you that any additional cars will greatly negatively impact The community. Any time there is roadwork cars get rerouted through side streets resulting in gridlock, especially around West Linn High School. The streets' grid and narrow streets are not designed to handle the amount of additional cars we would see with the toll. Tolling there is a terrible idea.
46		Email	No name provided	Fuck you. Fuck your tolls.
47		Email	DAVID RUSSELL	Tolls should be used only to repay the cost of the bridge or road. Maintaining them should be paid by users through a gas or tire tax. A graduated tire tax all vehicles based on their weight and tire size. It is a fact that a 40,000 lb truck does more wear and tear on the road than 4,000 lb car. Taxing the tires when shipped to Oregon also simplifies the tax collection.
48		Email	Erik & Elizabeth Frohn	ABSOLUTELY, NO TOLL ROADS PERIOD!!!

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
49		Email	Sam Marshall	I will keep this short and sweet. Nobody likes tolls. I'm sure there's all sorts of pros and cons. But if you DO decide to implement tolls, I ask that you do so in a way that benefits and harms all people in the same manner. Do NOT make this an "equity" project, where the government picks who gets impacted and who doesn't. We're all citizens of Oregon and should be treated the same way. If the goal of tolls is to collect revenue and/or drive behaviors (impacting time of day driving, etc) to reduce congestion, then everyone should be treated the same - regardless of profession, income level, or other characteristics.
50		Email	Nathan Mizrachi	Before you guys drop a few billion dollars on widening I-5 through the Rose Quarter, try tolling during peak hours and see if that decreases congestion. There's a good chance it will. We, the taxpayers of Oregon, deserve to see if this strategy actually works before it gets shot down in favor of a hugely complex and costly construction project gets shoved down our throats.
51		Email	Kayti Huffman	<p>To whom this may concern,</p> <p>My comments are as follows: the Statewide Toll Rulemaking by ODOT did not address fundamental flaws when selecting tolling locations. These primarily include lack of other feasible options to use transit instead, traffic diversion onto local streets, impacts to adjacent communities/businesses, the high cost of the tolls, and even the return on the tolling- it's my understanding that 30% of what is to be collected will go to a foreign business.</p> <p>Our community will be heavily impacted by this toll and our roads are severely impacted by even the day-to-day inconveniences that may arise like afternoon school traffic. There are limited alternative routes, and these tolls will gridlock our only paths out of our neighborhoods. The roads that would be affected are also primarily residential roads. This will create safety, noise and accessibility issues.</p>
52	09/12/2024	Email	Denise Beasley	Dear Oregon Department of Transportation, I am a resident of Oregon City, and have been very alarmed about the possibility of a toll on the I-205 Abernathy bridge. Not only would this be a significant expense for our residents, it would have a huge impact on traffic. I know that people will try to bypass the toll and use the Arch Bridge. This will cause major backups on Willamette Falls Drive and on Main Street Oregon City. I know this because I worked in Wilsonville for 25 years and used the Arch Bridge and Willamette Falls Drive to get to and from work. I could always tell when there was a traffic problem on I-204 or 99E because traffic crossing the bridge would be backed up into the Willamette neighborhood. This certainly does not alleviate air pollution!

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
				<p>I am also very disappointed that ODOT has decided not to add lanes between Stafford Road and Oregon City. The traffic slowdown there is significant. Another solution would be to add more buses. Recently, a new line was added that will connect Oregon City directly to Tualatin, Tigard, Hillsboro. That is a step in the right direction.</p> <p>When you are planning for new income sources please take into consideration that tolls will cause major disruptions in our traffic.</p>
53	9/12/2024	VM	No name provided	<p>"It's September 12th, 2024, and if you guys think, you arrogant *****, think that you're going to take our money, build a bridge with our money, put a train on it with our money, and then charge us to cross that bridge, you're **** out of your mind. It's not going to happen.**** you. You hear me? **** you."</p> <p>(Transcription by Grasshopper)</p>
54	9/13/2024	Email	Mark Havener	<p>This is a shame that we are even having a conversation about tolls being used to pay for operations and maintenance of roadways that we as taxpayers already paid for.</p> <p>I don't see how enacting tolls are going to meet the objectives that you present in the rules update in section 731-040-0050, 5a and 5b. You seemingly want to charge (punish) people who need to use the roadway for traveling to work, (no you should walk or bike across the Columbia) punish again by charging tolls for commercial vehicles that will pass along more costs to the consumer.</p> <p>Forcing us to use public transportation instead of paying tolls only adds inconvenience to commuters. (Try using public transportation in unincorporated Washington County!) The costs that the rule describes merely collects revenue to cover the cost of the tolling project, collecting more money for an unproven project.</p> <p>Roadway maintenance and operations are already paid for by your current budget.</p> <p>I know this email will most likely end up in the trash folder along with many others, but please listen to the voters on this issue.</p>
55		Email	Dave Davies	<p>I understand that Clark Co., WA has been against mass transit on the proposed I-5 bridge. As an Oregonian in the Portland metro area, I support mass transit. I believe that we should just go ahead and build the bridge with space for a transit line. Leave the tracks and cables uninstalled until Clark, County decides to go forward. It is better to allow future space now than build a bridge that can't accommodate mass transit.</p> <p>Perhaps, there might be funds in the future that would make it easier for Clark County to go forward with mass transit. The traffic congestion in the I-5 bridge area does make a solution necessary.</p>

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
56	9/12/2024	VM	Bruce Anderson	"Hello, September 13th, I want to make a comment on this limited toll road rules update. The first thing I'd like to say is it would be nice if we had, if the email that I got from you folks had a good email address, you know, I've tried it twice here. And the email that you have listed is controlrules.dot.gov. Microsoft Word says that doesn't work. At any rate, I am not in favor of tolling the roads. I think you folks, you bureaucrats, spend too much money. We now have over a trillion-dollar interest payment annually due to your excess spending. You need to quit drumming up these new ideas until you pay off the old ones, okay? It's nice to be modern and try to update stuff, but you can't keep updating it and not pay for it. Pay for them as you go. If you do that, you're going to end up with one-third more projects rather than paying for them with deficit spending. As you can tell, I'm against toll roads. Thank you. Oh, this is Bruce Anderson. Thank you. Have a nice day. Bye bye." (Transcription by Grasshopper)
57	9/14/2024	Email	Steve D	Put in the rules of passing the tolls, that when the debt of contruction is paid off, you stop the tolling.
58		Email	Dave Farmer	Toll rules or possibly laws I would like to share with you. 1. Require tolls to take no more than 15% for administrative expense. 2 . Pay off infrastructure set up costs in 25 years or less. Less than 20 % of tolls could be used for this purpose. Speed monitoring should be included for every section or if only one gantry is used (like a bridge or tunnel) it should have photo radar. 3. People that repeatedly fail to pay their tolls should be prosecuted. Pennsylvania does this including arrest and full charges at felony level when the dollar amount warrants this. 4. For toll evaders, vehicle tags & registration and driver licenses should be revoked and vehicles seized and forfeited. This threshold should be \$1,000 or less. 5. Discounts or exemption should go to--- Seniors (70 & older), Disabled veterans at 50% level or more, A program for low income people, needs to be included. Non profit traveling expense (Meals on Wheels, Gleaners, Homeless outreach & services) All Native Americans, Churches should never get discounts. I believe in the Separation of Church and State. People with barriers will need help. Language, No bank account or credit cards, people with no address. Cars with no or expired tags should be investigated when possible. This might be too costly.

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
59		Email	David	make metro give a guaranteed schedule into Vancouver since they want to tax toll.
	9/15/2024	Email	Deborah Tuke Bahlman	I think we should place tolls on the southern and northern borders of the state off of I-5 to raise the needed revenue to support road and future bridge infrastructure. Every time I visit family in Seattle, I get a bill from Tjeir transportation dept for some toll road.
			Jim Geisler	I'm not in favor of any tolls. They won't solve any problems, just create different ones. And its' another hit to people's pocketbooks.
	9/18/2024		Mark	<p>Hi-</p> <p>Tolling on highways in the Portland Metro area is not a viable solution for generating revenue when there are no arterial, frontage or similar or alternative roadways that parallel tolled highways found in places like Texas and Illinois. An example of an inviable location previously identified includes I-205 in West Linn, Gladstone and Oregon City.</p> <p>Tolling will force even more traffic diversions through residential communities where additional traffic capacity may not exist and increase the risk of incidents involving pedestrians, encouraging speeding (to make up for time lost on tolled highways) while disproportionately and negatively affecting those communities. Examples of this already exist during peak traffic travel times in communities like Wilsonville, Willamette and along the entirety of I-5 in North Portland from downtown to Jantzen Beach.</p> <p>The rulemaking process hearing on September 18th, 2024 presumes that tolling is a viable solution, which it is not. Forcing drivers to pay tolls when no alternative roadways exist amounts to coercion.</p> <p>Furthermore, tolling is not an equitable solution for highway revenue generation, and the MCAT Chair's assertion during the hearing on September 18th, 2024 that tolling is the only option is an overt display of inherent bias that does not demonstrate an openness to alternatives.</p> <p>For at least these reasons, any activities associated with rulemaking for tolling roads other than the I-5 interstate bridge between Oregon and Washington are presumptuous and put the proverbial cart before the horse and should be stopped until such time that any approved revenue generation alternatives are approved.</p>

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
61	9/19/2024	Email	Mark Hufnail	I DO NOT approve of the opening of a toll booth on the I205 in Oregon City. Not only is this a horribly inconvenient place for a toll booth, the installation itself will create enormous stress on local residents as a huge number of cars and truck will skirt the toll through the surrounding neighborhoods. The very small bridge across the Willamette will also become log-jammed with traffic diverting themselves through Oregon City. Please DO NOT go forward with this plan.
62	9/19/2024	Email	Sam Goldstein	Find a way to pay entirely without tolling. Simple as that. I'm glad you are not tolling Abernathy or other areas but once there is a toll, it WILL be forever so this is simply wrong. Oregon and Washington need to come up with the funds. It's an investment in the future so if you can use something similar to a "rainy day fund" or divert a portion of the available resources from the "kicker" funds, that might be an option. The feds kicked in a lot now let's be responsible and do our share. Tolling is a blight on society and we need to use the revenue systems we have to pay our way for this bridge and all roads in our state.
63	9/19/2024	Email	Philip Hazen	Everyone is always so worried about the poor, won't this harm them even more trying to get to work which like a lot of people will drive them on to surface streets.
64	9/19/2024	Email	Doug Yates	Good afternoon: Why is ODOT wasting our time and money with tolling programs, when the majority of Oregonians DO NOT WANT A TOLL!!? Please stop wasting taxpayers money on this issue, and obey the desires of the majority of Oregon taxpayers.
65	9/19/2024	Email	Jim McAndrew	Tolling is a huge mistake. We're already being heavily taxed in this State. With inflation out of control, what makes you think the taxpayer wants more taxes to add to their burden?
66	9/19/2024	Email	Sean Sweat	More tolls, please. It's the best way to manage traffic congestion.

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
67	9/19/2024	Email	Chris German	<p>Good afternoon,</p> <p>I'd first like to thank you for providing this information and I am pleased that we are only discussing tolls for interstate bridges, as this makes more sense.</p> <p>I would like to know under section OAR 731-040-0062 Tolling System Compatibility with the State of Washington, is Oregon going to have their own tolling system or will the State of Washington be handling it? It was unclear to me if the Interstate Bridge was going to be tolled both ways, on the Oregon side and the Washington side or if it was a one-way toll.</p> <p>I understand this is 'draft format' however, I hope that when the official document is produced that there will be corrected spelling and alignment for the document. Sorry, I'm a really good proofreader and I notice things like that 😊. There were some misspellings in the 'filing notice' that I found. I totally understand human errors, because I've made many in my years of creating and proofreading documents. I just hope in the future there are no mistakes.</p> <p>Again, thank you for this opportunity. I look forward to more information as it becomes available.</p> <p>Best wishes,</p>
68	9/19/2024	Email	Saha Devi Johns	<p>Tolls are a tax on working families!</p> <p>Every industry is dependent on our roads!</p> <p>Taxes are according to income, and industry needs to play their substantial part!</p> <p>It's their workers who need to get to work!</p> <p>Tolls end up on the backs of an already stretched economy for the working folks, who need easy access to get to work!</p>
69	9/19/2024	Email	David Portwood	<p>No tolls in Oregon please except for maybe the I5 bridge. This bridge has needed upgrading/replacement for over 30 years. Do not build it without emergency lanes that would be another blunder in planning. The last advertising of how great and wonderful tolls would be on Oregon roads was ridiculous. Get rid of those people they don't understand our state. Just looking for more money The Glenn Jackson bridge is now crowded during rush hour also. (which is now the rush hours noon to 6pm). You can't have more people concentrated in an area and not look at traffic.</p> <p>Just my ramblings think about the people and our state don't just tell us this is what we need.</p> <p>My thanks to the governor for putting a hold on these projects.</p>

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
70	9/19/2024	Email	Melinda Wilde	I oppose tolling of any kind on Oregon roads. Temporary or permanent. Tolling unfairly singles out areas of the state where roadways or bridges have been neglected and benefits those areas that have continually been upgraded without tolling or other additional taxes. In other words, the favored areas get improvements paid by all tax payers, but unfavored areas get tolls on top of taxes. Find another source of funding for road projects. Repeal the bike path law and apply that money to road improvements and maintenance.
71	9/19/2024	Email	George Johnston	When is the state going to get it we don't want pay for using the road we all ready have you are getting 60 cent a gal all ready a billion dollars a year how much do you want
	9/19/2024	Email	Rogert Stanfill	<p>It is my opinion that committees requesting public feedback do so to check a box stating that the public was involved in the process. An example would be the recent Burnside Bridge Project where 55% of the public opinion was ignored and the fourth ranking design choice was used costing an additional \$45M to build. I'm certain that cost will go up as the project progresses.</p> <p>With that being said the topic of tolling a federal highway, over a body of water linking two states where there are literally no other reasonable options for interstate commerce necessitates some type of public outcry. I can only speak for myself but I have not spoken with a single person that believes that tolling a federal interstate highway is good for anyone except state governments. The bridge is used by local people going to work and school, local business's servicing both sides of the river as well and even a small toll would have a huge impact on their finances. I-5 is the main highway connecting the west coast of America and is used by hundreds of thousands of trucks and people.</p> <p>I believe that the Interstate Bridge needs to be seismically upgraded, that additional lanes need to be added to support increased traffic flow and that the bridge needs to be designed in such a way that the river itself is not visible from the bridge. For twenty-three years I commuted across the Interstate Bridge and it has always been a bottle neck to traffic flow. It is posted at fifty miles per hour but traffic slows to twenty or twenty-five so that they can look at the water. The sunnier the day, the more boats on the river the slower traffic flows.</p> <p>Light rail and all of the crime that goes with it needs to stay in Oregon and not cross into Washington. I live in Vancouver Washington and choose not to go into Oregon unless there are no other viable options. Going to dinner, shopping a show or a sports event were fairly common occurrences but the conditions have deteriorated so badly that it is no longer safe.</p> <p>I believe there is a need for a third bridge. If a private entity wanted to buid it and toll it that would be a great idea for all involved.</p>


Oregon Department of Transportation
Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
73	9/19/2024	Email	Lawrence Brumitt	<p>Hello,</p> <p>I am vehemently opposed to all tolling projects, but particularly on the Abernathy bridge. Tolling is a regressive tax that impacts those who need to drive to work, while higher income individuals generally have more choices. Consequently, it impacts people of color disproportionately. Further, in an attempt to avoid these tolls individuals will swarm alternative routes and cause negative impacts for communities surrounding the bridges, including increased traffic fatalities, impediment of emergency vehicles, high pollution from idling in traffic and higher stress levels in commuters. Thank you,</p>
74	9/19/2024	Email	Robert Vance Portland	<p>I believe the proposal will require tolls on both the Oregon and Washington side of I-5 Columbia River crossing in 2026 to help pay for a new interstate bridge. I am concerned about increased traffic on the I-205 bridge as a result. Will a toll also be charged on the Glen Jackson bridge also? Also, if your plan is implemented will monitors be available to pay for vehicles crossing the bridge (s) on a regular basis. In Illinois an electronic reader records each crossing and the vehicle owner is billed monthly. Thanks</p>
75	9/19/2024	Email	Robert Riches Dundee	<p>Dear ODOT:</p> <p>It is my opinion that converting a pre-existing, already-paid-for, public, free road or any part thereof into a non-free, toll-only, and therefore non-public road constitutes theft from the taxpayers and/or motorists who paid for said road or part thereof.</p> <p>I-5 and I-205 are public freeways and should remain "free", paid for by taxes, including a rather high tax on fuel.</p> <p>Thank you for considering these concerns.</p>
76	9/19/2024	Email	Mary Peterson	We cannot afford more costs for access to work, doctors, etc. NO TOLLS
77	9/19/2024	Email	Dan Vogel	I will avoid travel as much as possible and all shopping in the Portland area.
78	9/19/2024	Email	Greg Nelson Wilsonville Oregon	Nobody wants tolls, they will not diminish traffic, and they will encourage rush hour traffic on residential streets. I urge you NOT to implement tolls in Oregon. Thank you.


Oregon Department of Transportation
Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
79	9/19/2024	Email	Teric Sargeant	Tolling is not a viable solution for roads in Oregon, people will find another way around, clogging up local roads. If these tolls were for express lanes, it could be justified but for existing lanes open to all, no tolls without a public vote. Thank You
80	9/19/2024	Email	Gerald Cohen	I'm cognizant of challenges : need to ameliorate anticipated congestion on surface streets y those wishing to avoid tolls; equitable affordability based on income; and need to also promote more energy efficient transit alternatives. That all said we do need multiple funding of transportation including tolling.
81	9/30/2024 Mis dated to 19th	Email	Stephanie Allisany Portland Oregon	Hello, My comment is that tolls are a tax on working people who are trying to get to work, businesses delivering goods and services. All the research I have looked at from other states shows that tolls simply push people to use other, less efficient roads to get where they are going. This is exactly what I plan to do if you toll the roads I currently drive on. It doesn't reduce car usage, incrases traffic jams and otherwise just make life harder for people not in the Laptop Class (you knows the people who actually make things and serve people). Instead, you could reduce your budget by letting some of your middle management go. You know, people who work from home writing reports and sending emails and not driving on roads trying to feed their families. Thank you for your time,
			Ron G	Stop the triple taxation attempts and start a true honest money management program. If I mismanage my funds, I pay the piper and have to reorganize. Do the same.
	9/19	Email	Ann Smith Canby Oregon	It seems to me that we are spending time and resources on tolling when it is clearly not something anyone wants. Put those dollars towards the monies you want. If we need to get more money, use a system that is in place - registration fees. It can be calculated how much an average driver pays in gas taxes with a gas vehicle, then add that amount to the registration fees for electric vehicles. Problem solved. It is fair and gives the state needed \$. Thank you

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
			Ken Carraher	<p>This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.</p> <p>Please, please, please stop with the tolls. No one wants them and you are wasting tax dollars pursuing the mythical pot of gold. As soon as you get close an initiative requiring a public vote will be passed and tolling will be ended before it begins.</p>
			Troy S. Bundy West Linn Oregon	<p>I am an attorney in Oregon and have been practicing law for 30 years. The US Supreme Court ended the Chevron deference to bureaucratic agencies this year who seek to impose new law by skirting the legislative process and creating “rules” that are unconstitutional. There can be zero doubt that the ODOT is attempting to impose a tax on Oregon residents without going through appropriate legislative process. This is illegal. Where there is no reasonable alternate path to cross from one state to another or from one city to another (as in the case of the I-205 bridge from West Linn to Oregon City), this represents a restriction of free movement of citizens. Any toll that effectively prevents US citizens from crossing a state boundary through any major point of entry, unless they pay a fee for doing so, is unconstitutional and will be struck down. Toll roads have been reserved for instances where an alternate means of passage is available without toll. Toll roads are restricted to convenience access, typically considered time-savers. They are improper where a major arterial highway between states or cities has been built by the people for the people and been in existence for decades. Roads are financed through many alternate means, fees and taxes that are legislatively approved. The ODOT has no authority to impose its own tax on the people. Funding must take another from or go through proper legal process.</p>
			Dave and Sandi Reynolds <i>Skyview Farm, Inc</i>	<p>We are opposed to tolling. We feel that it is economically repressive for people who are on a fixed income or otherwise economically challenged. Find another way to raise money for road repair. We feel that the most fair methodology would to be based on a combination sliding scale that combined the weight of the vehicle (in 1000 lb / 450 kg increments) and the number of miles driven on the roads. These could both be assessed annually or biannually at the DEQ testing stations.</p> <p>This would capture electric cars (like ours) which are currently not captured by gasoline taxes. We also feel that this should be on top of gasoline taxes which help cover the costs of air pollution on top of the wear and tear on the roads.</p>

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
			Erik Daniels	<p>The proposed solution to reduce congestion by initiating tolls is short sighted and will cause more negative side effects than the "problem" it's supposed to be fixing. Like most government solutions, it may make some impact as designed, but will create a cascading effect downstream of the toll roads: increased congestion in residential areas that are not designed to handle this amount of traffic, negatively impacting safety for drivers and vulnerable road users, reducing the tranquility of the area, increasing noise pollution and tailpipe pollution by causing traffic jams.</p> <p>When there is a freeway issue, drivers already exit the freeway to take surface streets, often creating traffic jams on these surface streets.</p> <p>Tolling should only be used for one thing when traditional methods are inadequate: to pay for new roads and for needed upkeep. Anything else is government meddling and overreach.</p> <p>Regards,</p>
			Mike Robinson	Not just no but hell no!!!!
			Curt Cassingham Portland Oregon	<p>This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.</p> <p>No tolls!!!</p>
			Shannon Arnold	<p>When are you people going to get it through your heads that NO ONE wants toll roads in the Portland Metro area. One sure way to hit the working class is to make them pay tolls just to get to work or shopping. How about you start taxing EV vehicles more to make up for the gas tax you aren't getting from them? Even better, how about better managing the money you get from the hardworking people through the taxes and fees we already pay? Tolling people who are already dealing with inflation and higher spending is a terrible idea</p>
			No name provided	Fuck you, commies. Fuck your tolls, too.
84	9/20/2024	Email	Erik Hittle	<p>Please just spend the money you already have better.</p> <p>Stop taxing us into oblivion, just to create more government.</p>

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
85	9/20/2024	Email	Mike Eisler	<p>A toll system on Oregon highways is nothing more than another hidden tax. The narrative being promoted is that it will alleviate congestion on I-5 and 205. This might make sense if this toll would encourage drivers to use alternate routes....but there are no alternate routes. Because of the rivers crisscrossing the landscape drivers have little choice except to occasionally choose residential back streets full of stop signs, lights, bicyclists, and school children.</p> <p>My prediction is that a toll system would reduce commerce and make Oregon less attractive to business. If population reduction is your goal you may have hit upon something. Of course this will mean a reduction in income tax revenues along with the population reduction and you can have the empty roads all to yourselves. Some states are already experiencing negative growth due to overly aggressive regulation and taxation. Texas would be happy to add to its revenue stream.</p>
86		Email	No name provided	<p>Rosa Parks Way entrances and exits should be closed. Large trucks heading south use this exit but then turn back on I5 north for the exit on Lombard heading east.</p> <p>Lombard needs an exit ramp heading east from the south bound lanes.</p> <p>Large trucks need an exit ramp heading east from the south bound lanes.</p> <p>Tolles are not needed if more entrances and exits are closed.</p>
87	9/20/2024	Email	Micha Wolfe	<p>No tolls! Tolls make an already unenjoyable driving experience in the Portland metro area even more frustrating. In addition, many studies have highlighted that tolling does not improve traffic congestion. No tolls!</p>
88	9/20/2024	Email	Jay Minor West Linn Oregon	<p>Ladies and Gentlemen,</p> <p>First: All freeways should be tolled; I-5, I-205, I-405, I-84, 217, and 26. Congestion prices should not be instituted.</p> <p>Second: All vehicles registered in Oregon should be miles driven annually. Reported every month by mileage that reports via gps that is anonymous. For those that enter and leave the state, they should be issued a transponder until all states are reported regarding mileage</p>

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
89	9/20/2024	Email	Michael McGinley PE (retired) Washougal Washington	Please consider my thoughts: I am in favor of tolls in order to upgrade and replace infrastructure. Toll in one direction only. Establish the same toll for the I-5 and I-205 crossings. I only travel from Washougal, WA to OR about six times a month for meetings or medical appointments. I would recommend that any toll proposal include a modest discount for frequent users such as a monthly charge for unlimited trips that is a savings from 20 trips. Thank you for your consideration.
90	9/20/2024	Email	Brandon Rod	I think it's kind of funny that we pay more in taxes, yearly, and annually, quarterly and semi quarterly and yet there's no money. Where is the money? Where is it going and it sounds like someone's yearly bonus is a little too big. If you guys cannot figure out a budget plan a yearly budget plan to fix the roads efficiently this IS NOT a taxpayer problem anymore. This is a pinching and stealing, it from the state problem. As well as Washing the money through the state and getting paid again. This type of criminal behavior, this behavior is unconstitutional! And it needs to stop! The state of oregon makes billions off of recreational cannabis and that cant fix the roads? The schools? Nothing has been fixed you people that are in charge are the problems and reasons why we cant get anything fixed. He west coast is governed by the same laws. Under "California's law" this crime goes all the way up to the governors, they are directly related and responsible for these actions and enabling the very issue we have had a problem with #STOPSTEALINGTAXPAYERSMONEY #TAXTHERICH #WHEREISOREGONSMONEYGOING
91	9/21/2024	Email	Megan D	Hello, First of all, thank you for taking public comment regarding tolls. Since DOT can make recommendations to the Commission regarding toll reductions or exemptions, I'm hoping there can be some consideration for those of us who have lived in Portland/Vancouver all our lives. Someone with a sharper mind than I suggested the toll rate be based on the date of first license or ID card in Oregon or Washington. When I first heard the idea, I laughed. But then I thought... hmmm. That has some merit. We didn't create this congestion issue. Other people did. I grew up riding the bus (and my bike), but people who moved here in the last 15-20 years seem less inclined to do so.

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
				<p>Using someone’s first driver’s license date/ID card issue would also make it easier to issue discounts to seniors/honored citizens. People licensed before 1960 could automatically be eligible for a senior discount (if that’s something the Commission decides to offer...and I hope they do. My stepdad is 84 and he sometimes has to go to Portland for medical treatments).</p> <p>Since it would be overly complicated to make a special rate for every person year by year. So perhaps it’s in 10, or even 20-year blocks.</p> <p>I’m also not sure how easy it would be to verify these things using DMV records. Perhaps there is a better way to verify? Voting records? Dunno.</p> <p>Another thought about toll reductions or exemptions (alternate idea). If someone is a monthly or annual passholder for C-Tran or Tri-Met, perhaps they could get a toll discount. Would people potentially buy these passes just to get a discount? I’m sure some people would. And...would giving Tri-Met and C-Tran extra money be a bad thing? Yeah, I know, the point is to relieve congestion. But hey, the first step is getting people to buy a transit pass...</p> <p>Thanks for the consideration and for reading this email!</p>
92	9/22/2024	Email	Linda Bright	<p>To whom it may concern,</p> <p>Comments on the document at AthrBlnk.dot, titled: Department of Transportation Chapter 731 Division 40 TOLLWAY PROJECTS:</p> <p>1) There is no statement for the purpose(s) of tolling in this document. Establishing (or re-stating) the purposes for tolling would be very helpful for guiding the making of the rules for tolling.</p> <p>2) There is no statement regarding where the tolling money will go (e.g. to each state equally for an interstate bridge, etc., or what percentage goes to the private tolling operators vs. to public/government agencies). And then re: the state of Oregon, what will the state use the tolling funds for, which department(s) receive the money, what guides the usage of these funds?</p> <p>3) Re: fines for not paying tolls: the state of Oregon already does a horrible job enforcing the renewal of car licenses/tags (this seems to have worsened during the pandemic and continues to be a big problem). There are many cars on the road with Oregon license plates with expired tags, and not just by a month or two but by a year or two! The OR DOT needs to get its act together with this before adding the enforcement of fines and penalties for not paying tolls to their list of responsibilities.</p> <p>4) Manipulative pricing that penalizes peak-time usage is wrong. The toll should be the same throughout the day and night to have all users share in the burden of paying tolls. Drivers and travellers already adjust their travel times due to congestion. No one travels by car around the Portland metro area without traffic</p>

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
				<p>congestion in mind! And there are many people who have no other option but to travel at peak, daytime hours. These are people going to various medical appointments, and other vital appointments that need to be in-person and during usual business hours. There are also many people who are not able to drive safely in the dark (some are senior citizens but also people with other visual limitations). I strongly urge keeping the toll pricing the same at all hours of the day/night for the greatest equity for all travellers. And making exemptions for people travelling for medical appointments or senior citizens, would likely be a tedious process with access barriers (e.g. need to file electronically but limited computer access, etc.). Additionally, there are many people with mobility problems who are unable to walk/bike to use biking or public transportation as a viable alternative. For greatest equity, all users should share the burden of paying tolls no matter what time of day/night they are travelling.</p> <p>In the document there were references to various existing rules/laws but no active links or inclusion of these references for easy access or review. In the future, it would be helpful to create a draft document that has the active links for easier public review.</p> <p>Thank you,</p>
93	9/23/2024	Email	David Potts & Char Pennie Lents Neighborhood Livability Association	<p>Why penalize an entire state because you guys don't know how to manage your money!</p> <p>You've heard all the arguments. I don't need to restate them.</p> <p>Sincerely,</p>
95	9/24/2024	Voice Mail	Caroline Park,	<p>"Hi, my name is Caroline Park, I live in Oregon, and today's date is September 24, 2024.I'm calling in opposition to the Tollway Project, I do not support it at all, and I do not want it to go forward. Regarding the proposals that you have linked onto your site, looking at rule number 731-040-0040, authorization of tollway projects, I do not see anything mentioning when the tollway would be discontinued. I would expect that any tolls would pay for the construction or minimal maintenance of such projects, but I do not believe it should be a continuous tollway that will go on to infinity. I would like to see an end date to these projects if we are unfortunately forced to make this a But again, my number one comment is I am in total opposition of the Tollway Project. Thank you. Goodbye."</p>

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment (Spelling in copy)																																								
94	9/24/2024	Email	Max Belousov	<p>ODOT paused further work on the rules until we could determine what portion of the rules need to move forward. We have developed a limited set of proposed rule updates now out for a formal public comment process.</p> <p>Hi,</p> <table><tr><th>Fiscal Year</th><th>Total Revenues (Millions)</th><th>Total Expenditures (Millions)</th><th>Bottom Line (Millions)</th><th>YoY Growth Rate of Bottom Line (%)</th></tr><tr><td>2017</td><td>\$1,871.5</td><td>\$1,690.3</td><td>\$181.2</td><td>-</td></tr><tr><td>2018</td><td>\$2,017.8</td><td>\$1,570.7</td><td>\$447.1</td><td>146.77</td></tr><tr><td>2019</td><td>\$2,260.1</td><td>\$1,837.3</td><td>\$422.8</td><td>-5.42</td></tr><tr><td>2020</td><td>\$2,070.7</td><td>\$1,817.6</td><td>\$253.1</td><td>-40.15</td></tr><tr><td>2021</td><td>\$2,287.1</td><td>\$2,182.7</td><td>\$104.4</td><td>-58.76</td></tr><tr><td>2022</td><td>\$2,616.2</td><td>\$2,499.8</td><td>\$116.4</td><td>11.49</td></tr><tr><td>2023</td><td>\$2,618.7</td><td>\$2,515.6</td><td>\$103.1</td><td>-11.41</td></tr></table> <p>Isn't it amazing that I5 and I205 isnt tolled, and ODOT still seems to have 2.5 years of runway at current revenue?</p> <p>Nobody wants this toll crap. Only the useful idiots working for ODOT.</p>	Fiscal Year	Total Revenues (Millions)	Total Expenditures (Millions)	Bottom Line (Millions)	YoY Growth Rate of Bottom Line (%)	2017	\$1,871.5	\$1,690.3	\$181.2	-	2018	\$2,017.8	\$1,570.7	\$447.1	146.77	2019	\$2,260.1	\$1,837.3	\$422.8	-5.42	2020	\$2,070.7	\$1,817.6	\$253.1	-40.15	2021	\$2,287.1	\$2,182.7	\$104.4	-58.76	2022	\$2,616.2	\$2,499.8	\$116.4	11.49	2023	\$2,618.7	\$2,515.6	\$103.1	-11.41
Fiscal Year	Total Revenues (Millions)	Total Expenditures (Millions)	Bottom Line (Millions)	YoY Growth Rate of Bottom Line (%)																																								
2017	\$1,871.5	\$1,690.3	\$181.2	-																																								
2018	\$2,017.8	\$1,570.7	\$447.1	146.77																																								
2019	\$2,260.1	\$1,837.3	\$422.8	-5.42																																								
2020	\$2,070.7	\$1,817.6	\$253.1	-40.15																																								
2021	\$2,287.1	\$2,182.7	\$104.4	-58.76																																								
2022	\$2,616.2	\$2,499.8	\$116.4	11.49																																								
2023	\$2,618.7	\$2,515.6	\$103.1	-11.41																																								
96	9/25/2024	Email	David Silbernagel	<p>Oregon should not have tolls. !! Costs to run and set up a system costs too much. Just cut out all the unless environmental regulations and the cost of repairing roads and building new ones would come down to a more reasonable cost. There is way to much red tape and unnecessary regulations on road building that drives up costs. Too many people and government enities involve in building and repairing roads and bridges. The system is broken and as long as government is involved it will never get fixed !!!! A frustrated Oregon taxpayer,</p>																																								

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
97	9/29/2024	Email	Constance E. Harris	<p>A little context. I've lived in Oregon my whole life. I have a retirement account and get social security. If you're alive, you know that over past years, camping fees, entrance fees, service fees, ticket fees, handling fees, parking fees, alarm fees, processing fees, etc., have been put in place to mitigate the inability of planners and governments to live within their budgets thus new levy's on the ballot all the time. For example that is a particular problem for me, is state campgrounds. They used to be free since they are on public land such that the least affluent among us could take a low-cost vacation. No more.</p> <p>We don't have a sales tax on unnecessary items here, but we could pass along the costs of using Oregon's roads, to the many tourists that come here. We are missing this huge opportunity.</p> <p>Tolling will do more of what inflation is already doing us. Folks who can afford expensive vehicles could pay a toll proportional to their income. A \$.50/day toll for a person who lives further out of the city because of rent and housing prices, and commutes into Portland for a minimum wage job, should be paying a similar percentage of their income for roads based on their income, not the same amount to someone who won't blink an eye at yet another tax.</p> <p>Stop it. Don't do it. Planners are educated and make good money and are supposed to be working for the common good.</p>
98	9/29/2024	Voice Mail	Virginia Rose Rainier Oregon	<p>"Hello, this is Virginia Rose, V-I-R-G-I-N-I-A Rose, R-O-S-E, and I live in Rainier, Oregon, and this is regarding tolling, toll rules. I'm opposed to tolls. I understand trying to do that on the I-5 bridge, the new one, but in other places it's going to make it impossible.is going to make it harder to get through on the highways, freeways. It's going to make thing stake longer, more air pollution, more wasted time. A lot of people can't afford that toll. I live in Rainier and I work in Portland so I have to take one of the two bridges and if you toll The I-5 bridge, everybody is going to want to try to go on the 205 bridge, and then that will cause even greater problems. So I don't think you should toll within Oregon. It's too expensive for people. And it's really, really inconvenient. But other than that, it doesn't seem like the roads that are already done and bridges already done should be used as toll roads. I think it will be inequitable, too, for people who live in the inner city and have to go back and forth to Vancouver and Portland. Thank you very much."</p>
99	9/29/2024	Email	Duane Liner	<p>Dear Governor Kotek, Oregon Transportation Commission, Washington Transportation Commission, and Director's Office Rulemaking</p> <p>Please find my comments below regarding the draft toll rules.</p> <p>- Limit rules to only I-5 bridge across the Columbia River, the clear indication that no other road or bridge in Oregon is to be tolled</p>

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
				<div><div><div>- Require any toll within Oregon be allowed to be paid in cash (have a toll booth)</div><div>- Do not ever allow a third party company to collect Oregon fees/tolls. Oregon residence should be able to address their complaints and concerns directly to Oregon agencies / employees.</div><div>- Every vehicle causes the same wear and tear on the highway. Collect the same amount for every type/class of vehicle. Regardless of owner or driver, individual or group, being from a historically excluded or underserved community. Government (Federal, State, Sovereign Nations) vehicles should all the same as private vehicles.</div><div>- Remove definition 5 OIPP Partnership Agreement from 731-040-0020 Definitions and from all of Division 40.</div><div>- Remove definition 6 Outcome equity from 731-040-0020 Definitions and from all of Division 40.</div><div>- Clarify that definition 8 excludes any setting of, or recommendations of, rates based on anything other than vehicle type (passenger car, truck...etc).</div><div>- If my comment to only allow tolls for only I-5 bridge across the Columbia River is not instituted, then for 731-040-0030 - change administrative fee amount from \$5,000 to \$100,000. And for 731-040-0030 - change administrative fee amount for revised concept from \$2,500 to \$50,000.</div><div>- Have any and all tolls within Oregon implemented ONLY by vote of the people. No tolls in Oregon without the vote of the people.</div></div><div>Please also note that the method of collecting public input and comment is suspect - the Oregon Dept. of Transportation homepage does not highlight the open period for comments, one has to hunt very deep to find out about the opportunity to comment and the comment period.</div><div>HY. - Long time Oregon Citizen</div></div>
102	10/1/2024	Email	Mary Jane Mathews Dallas Oregon	<div>To whom it may concern: We do not need Toll Roads in Oregon. We have a way now to collect road taxes-- DMV. We do not need another expensive way to collect road taxes. Please stop Tolling in Oregon.</div>
103	10/1/2024	Email	Shane Wavra	<div>Dear ODOT, I feel that initiating, evaluating, authorizing and administering Tollway Projects on state right of ways proposed by private entities, local or regional governments, the Oregon Department of Transportation, and combinations thereof are already supposed to be used from Oregon's State Budget, which Oregonians are already paying taxes on.</div>

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
				Adding tolls anywhere in Oregon creates a hardship for Oregonians and out-of-state visitors, thus not being equitable and discourages people from visiting our state - whether they are coming from various parts of Oregon or from other states. Plus, the Oregon State Government looks greedy by continually taking money away from its taxpayers, thus telling people that they should not have any extra money to themselves. I urge you to please reconsider your stance on the toll ideas, stop considering them and to be fiscally responsible with the money the state already receives. Thank you for your understanding and consideration! Sincerely,
104	10/2/2024	Email	Karen Buehrig, Long Range Planning Manager Clackamas County – Transportation & Development: Long Range Planning	Good Afternoon- Attached you will find comments on the Limited Toll Rule Update Thank you for the opportunity to comment
105	10/2/2024	Email	Craig Blair	Tolling roads in Oregon is an assault on the common man. Tolling roads can only fuel inflation, freight, hence goods, would cost more, workers would need to be paid more to pay this tax. With the high cost of registration, and gas tax and other fees, Oregonians are already paying for road maintenance and improvement. If current taxes/costs are not used in total for road maintenance and improvements, then those funds are being misused. This extortion of the common man is wrong, this shameless grab for money is born of greed and 80% going to administer the toll is a crime. For those who want tolls they have the option of moving to a state that has tolls. Oregonians do not want tolls.
106	10/3/2024	Email	Patricia Hills Wilsonville Oregon	Hello, I have been raising my concerns about how the tolling on our roads in Oregon is being planned ever since I first learned of it. It seems that ODOT does not take our objections seriously at all. ODOT just moves on. Extremely insulting.



#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
				<p>Why is ODOT dead set on having tolling on all lanes of I-5? Many states use a High Occupancy Toll Lane plan. This allows people who can afford it can also have less traffic in their lane. (BTW see the correlation there?). It allows the rest of us, who live on a budget, to carry on with our lives.</p> <p>I have not been able to find, in my research, any states who toll ALL LANES. Many States Toll, of course, but not ALL LANES.</p> <p>In case you haven't taken this into consideration, many people and businesses are leaving Portland and Oregon because of other problems, taxes, Homeless, Graffiti, expensive living conditions, shop lifting, etc. The plan to Toll all lanes on I-5 will create more hardship causing the The Willamette Valley, in particular, to suffer a mass exodus.</p> <p>The plan to Toll all lanes of the freeways will be the final dagger in the economy of our area.</p> <p>Please listen to us!!!</p>
107	10/3/2024	Email	Jaye Cromwell Strategic Initiatives Policy Advisor Planning, Development & Research--Metro	<p>Hello,</p> <p>Please see the attached letter and Attachment A to the letter as comments on the proposed tolling rules.</p> <p>Thank you.</p> <p>Jaye Cromwell Strategic Initiatives Policy Advisor Planning, Development & Research</p>
	10/3/2024		Andy Cotugno	<p>The rules should require that any proposal for a toll funded or managed project should include an alternatives analysis of alternative funding and/or traffic management methods. Funding options should include the tax rate and resulting impact on the tax paying community as compared to the toll option. Further, there should be an assessment of the prospect for obtaining the alternate source. It's not good enough to to describe the toll rate. Rather, how does that compare to the alternative. Thanks</p>
	10/3/2024	Email	Linda Boyle	<p>I am opposed to the tolling. You cannot toll yourself out of your financial problem. There needs to be another solution. If you toll the Oregon City part of 205 what about all the other roads/bridges that need repair?</p> <p>I tried reading the link to Chapter 731, Division 40, TOLLWAY PROJECTS, 731-040-0010. There wasn't a summary of what this document says. I could not make sense of the document, it clearly wasn't written for a regular taxpayer to understand. Why didn't you write so everyone could understand it. What are you trying to hide by making it hard to understand?</p>

Summary: Public Comments on 2024 Toll Program Limited Rulemaking

#	Date	Source	Name	Comment <i>(Spelling in copy)</i>
				I also tried to read the NOTICE OF PROPOSED RULEMAKING INCLUDING STATEMENT OF NEED & FISCAL IMPACT and found it equally hard to understand. Again, why don't you at least provide a summary so everyone can understand what is going on?????? What are you trying to hide - more tolls?
	10/3/2024	Email	Julie Blackman	<p>I am writing in opposition to the proposed tolling of the Interstate Bridge.</p> <p>The expansion of the bridge was paid for with tolls which were removed once the construction was paid off. That would not be the case with any newly imposed tolls - they would continue in perpetuity.</p> <p>Tolling the bridge would only be the first of many tolls likely to be imposed on Oregonians. We all know that ODOT wants to toll the Portland area extensively and this would be the camel's nose under the tent. Once the mechanism is in place it would be easily extended and the temptation to do so would be irresistible.</p> <p>Further, proceeds of tolls would be not remain in this region but would be shared with an outside, for-profit corporation - almost invariably a foreign company at that.</p> <p>This bridge is an interstate bridge which carries goods and services that benefit all Oregonians and Washingtonians (and beyond). As an Oregonian born and bred I would much rather pay for it through an increase in the gas tax, <i>imposed throughout the state</i>, the entire proceeds of which would remain in the region and which would require no new bureaucracy or tracking. Alternatively, an increase in both weight/mile fees for commercial vehicles and increased registration fees for private vehicles - collected throughout the state rather than simply this region of the state, could be considered. This distributes the costs more fairly and collects funds more efficiently.</p> <p>Sincerely,</p>

Confederated Tribes *of the*
Umatilla Indian Reservation

Board of Trustees



46411 Timine Way
Pendleton, OR 97801

www.ctuir.org
Phone: 541-429-7030

email: bot@ctuir.org
Fax: 541-276-3095

August 26, 2024

Travis Brouwer, Assistant Director
Oregon Department of Transportation
355 Capitol St., NE MS 11
Salem, OR 97301

RE: Proposed Toll Rules – I-5 Interstate Bridge

Assistant Director Brouwer:

I received your letter, dated August 15th, 2024, regarding the proposed rules being promulgated for tolling on the I-5 Interstate Bridge over the Columbia River.

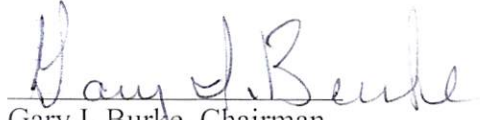
As you are aware, in the Treaty of 1855 between our member tribes—the Cayuse, Umatilla, and Walla Walla peoples—and the United States, the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) reserved broad off-reservation rights to take fish at all usual and accustomed stations, including along the Columbia River. The CTUIR also reserved the right to hunt, gather, and pasture livestock on unclaimed lands outside of the Umatilla Indian Reservation. These reserved rights are broadly construed to include an implied right to unimpeded and unencumbered travel. To protect these reserved rights, CTUIR tribal members and tribal government employees must be exempted from payment of tolls on the I-5 Interstate Bridge. Our ancestral lands span large swaths of what is now northeastern Oregon and southeastern Washington, and our traditional use area encompasses much of the Pacific Northwest, requiring our members to frequently travel across the I-5 Interstate Bridge to exercise these reserved rights and cultural practices, particularly for CTUIR tribal members living in western Oregon and western Washington.

For these reasons, the CTUIR is encouraged to learn that the Oregon Department of Transportation's proposed toll rules include equity components intended to address the historical and disproportionate burden often placed on tribal communities in exercising treaty-reserved rights. Specifically, we believe that the requirements in proposed rule 731-040-0050 for a process equity plan and subsequent evaluation of any outcome equity springing from that plan are favorable for bringing forward a tribal toll exemption. While the CTUIR understands that the Oregon Transportation Commission (OTC) cannot make the tribal toll exemption decision in a vacuum, we see OTC's stated ability to consider authorizing toll exemptions pursuant to proposed rule 731-040-0050(6)(a) as persuasive advocacy in future discussions with Washington State Transportation Commission. The CTUIR supports this iteration of the proposed rules and asks OTC for continued support for the tribal toll exemption.

We look forward to our upcoming second tribal consultation session with the Bi-State Commission. In the interim, please continue to keep our policy representative, Corinne Sams, and our legal representative, Martha Klein Izenson, apprised of your work. Corinne Sams may be reached at

corinnesams@ctuir.org and Martha Klein Izenon may be reached at 541-429-7405 and marthaizenon@ctuir.org.

Respectfully,

A handwritten signature in cursive script, reading "Gary I. Burke". The signature is written in dark ink and is positioned above a horizontal line.

Gary I. Burke, Chairman
Board of Trustees

Representative Cyrus Javadi
900 Court St NE
H-373
Salem, OR 97301

To State Representatives: FYI from james.a.santee@outlook.com

James Santee
42162 Bagley Lane
Astoria, OR 97103
503.458.6429

Comments on Tolling

I have made similar comments in the distant past when this project was starting to “get wings”.

Executive Summary

1. Tolling needs to be fair and equitable without time of day or congestion charges for rural residents.
2. One should be able to pay in cash on a per trip basis without setting up an account or purchasing a transponder.
3. If the bridge has a toll, then the I-5 portion through NE Portland should not be tolled in any form and NO monies from the tolling be allocated to other projects. Tolling should not be a “gravy” boat for other projects.
4. The currently envisioned Columbia River bridge replacement project seems to have a large amount of “bloat” factor and has become a Christmas tree with special interest groups receiving large gifts under the tree.
5. There needs to be some serious cost containment to avoid cost overruns and additional bloating. From a simple bridge replacement project this proposal has morphed into a monster.
6. There needs to be a defined sunset for tolling.

General Comments and observations on tolling

To begin with, I am terribly disappointed it has taken well over forty years to get to the point of replacing the Columbia River bridge. This should have been a done deal by 1970. What is now proposed is a bridge on serious bloat factor. Well beyond the scope of replacing a bridge and now burdened with massive costs both financially and politically. The term for this is “feature creep”. All of the added “features” are great in their own regard, but when combined with what had been a simple bridge replacement project has turned this into a massive and costly project. Now we

are faced with a tolling for a new bridge and the prospect of tolling for an existing already paid off bridge. This does not make sense.

I am not opposed to tolls for clearly defined outcomes. By itself in its original concept tolling the replacement Columbia River bridge for a defined period of time is doable. But with the addition of all of the added features and the serious prospect of massive cost overruns I have serious concerns that this project is over extended.

About twice a year I travel on the Tacoma Narrows bridge and I stop at the toll booth and pay cash. I do not have a transponder or an account setup. That is not a problem. I have choices as I do not travel this route very often, as this should be the same for traveling into the Portland area.

Based on distant past knowledge depending on how tolling was setup in other tolling jurisdictions tolling could be expensive and complicated. Some jurisdictions used license plate readers required one to setup an account, along with this account came a monthly maintenance fee whether you use it or not. If one "buys" a transponder there are some jurisdictions that have monthly a maintenance fee associated with the transponder. On top of this there might come added time of day "congestion charge" that is added to many tolls. If one does not have an account setup then a bill is sent out with an administrative fee added on top of the toll. I can assure everyone this will not go over very well with rural residents.

The rare times I head to Portland is from east Clatsop County, is via HWY30, to Longview onto I-5, and then via I-205 and over I-205 bridge to PDX. On occasion maybe a trip to Willamette Cemetery, and that is it. With the exception of the cemetery visit my time of travel is determined by the airlines and not me. If a time of use congestion charge is added to the tolling that would be unfair as I have no other time of day choices. If I have a flight at 1PM, should I leave my home at 1AM and sleep at the side of the road near the airport to avoid the daytime congestion charge? Charging rural a resident a congestion charge will backfire politically very quickly.

I have read press releases that Portland wants to toll the I-5 area in NE Portland, and add a congestion charge as well. This is a non-starter on all levels especially if the Columbia River bridge has a toll. If Portland wants to toll the I-5 off ramps into NE Portland, go for it, but not the travel lanes. Anyone who wants to dive into the I-5 area of NE Portland is truly welcome to do so.

Oregon is basically 95% rural in land mass. Having the remaining 5% becoming a choke point for the rest of the state is politically dicey. We already have serious cultural and political differences and if not handled with kid gloves mishandling the tolling will make things far worse.

As I was writing this letter I watched a report on the Ohio Turnpike tolling disaster. It is ugly on steroids. This project was terribly miss-managed with truly incompetent administrators. If this is

repeated in Oregon expect an initiative process at warp lightning speed. If there is repeat of this in Oregon, I will demand criminal charges against all concerned.

Summary

In the end I am willing to accept some tolling provided if it is fairly done, competently managed and the monies going strictly to the I-5 bridge and no other METRO area projects. I do not want to mess with transponder, setting up accounts, or even worse having my account hacked and dealing with that issue. Paying in cash for the very few times I travel into the Portland area is ok is with me.

Final Note: I hold transit passes for London, Ottawa, and Toronto. They know how to do public transportation projects. Oregon also seems to be lagging far behind or in some cases completely failing. I really do not trust the management of complex transportation projects that center around multi-model transportation in Oregon. The overall track record is not great.

Wish everyone the best. Glad I am not in this political “food chain”.

Jim Santee

October 2, 2024

Oregon Department of Transportation
ATTN: Director's Office Rulemaking
355 Capitol Street NE, MS 11
Salem, OR 97301-3871

RE: Limited Toll Rule Update Comment

Below are comments from Clackamas County staff on the Limited Toll Rule Update currently under consideration. We were deeply involved in the review of the I-205 Tolling project as well as the Regional Mobility Pricing project before work on these projects was indefinitely paused. This first-hand experience provided us with the understanding of the importance of the Toll rules in the development of a Tolling project.

First, we urge the commission to integrate language into Section 731-040-0040 Authorization of Tollway Projects that specifies a corridor should have a “minimal state of readiness” before starting a tolling or congestion pricing program.

Diversion is inherent when tolling is implemented and the problem becomes more acute where tolling is applied to facilities in a rural land use setting, where there are fewer, if any, viable alternative travel options (transit/bicycle/pedestrian), thereby increasing the certainty of usage of adjacent transportation facilities. The adjacent transportation facilities are maintained not only by ODOT, but in most cases by local jurisdictions, which must plan for these facilities in their transportation system plans. An assessment should be done at the very initial stages of consideration of tolling to make sure the infrastructure on the local system has a foundation that can support people shifting to other modes of transportation.

A solution would be to add an additional sub bullet (c) to section 731-040-0040 (3) that directs that Commission to consider “How the

Secondly, when the Commission is approving initial rates, the impacts of diversion onto impacted local facilities must be taken into account during the rate setting process.

The proposed changes to 731-040-0050 **Process for Approving Initial Rates on Tollway** amends 731-040-0050 (5) to have the establishment of rates to focus on addressing only two factors of “(a) cost of operation and improvements, preservation and maintenance of the tollway project, tollway and related facilities, including paying any debt service to finance the tollway projects; and (b) management of congestion to the desired thresholds, as established for the tollway, including but not limited to travel times, speeds, reliability, increasing accessibility, reducing greenhouse gas emissions and avoids, to the extent practicable, the reduction of existing service levels of the tollway.”

Language proposed to be removed from the current rule 731-040-0050(5) had emphasized the importance of accounting for “the effects of tollway implementation on community and local traffic, their magnitude and expected impacts to livability.”

We recommend an addition sub bullet 731-040-0050(5) (c) be added stating: The level of diversion onto the local roadway system in a manner that will not decrease safety, significantly increase the usage of rural local roads and negatively impact service levels for all modes.

Thank you for the opportunity to comment on the proposed changes to the Toll rules and your consideration of the suggestions we have put forward.

Sincerely,

Karen Buehrig

Karen Buehrig
Long Range Planning Manager
Clackamas County

October 1, 2024

Kris Strickler, Director
Oregon Department of Transportation
355 Capitol Street NE MS11
Salem, Oregon 97301

Re: Rulemaking Comment

Director Strickler and staff,

Thank you for the opportunity to comment on the proposed limited toll rules on behalf of Metro staff. The comments are included as line edits to the proposed rules in Attachment A to this letter. Among other things, our comments include:

- Inclusion of language to require consideration of a low-income toll
- Expanding the tollway to include “tollway and adjacent facilities” to ensure consistent language
- Inclusion of “community health” as part of the definition of outcome equity
- Requirement of a customer resolution program for folks who didn’t pay a toll; this is a best practice that came out of a Metro Council tour of Seattle congestion pricing facilities
- Inclusion of language that specifies using vehicle trip and passenger counts to track diversion
- Inclusion of relevant state, regional and local GHG emissions reductions targets/measures

Our comments are in line with the priorities set out by JPACT and the Metro Council in the 2023 Regional Transportation Plan update and the region’s 2018 Climate Smart Plan. We look forward to learning the outcomes of this comment period and continuing our work together on lessening the climate impacts of transportation on our region and communities.

Sincerely,

Ted Leybold
Transportation Policy Director

CC: Catherine Ciarlo, Malu Wilkinson, Kelly Betteridge, Jaye C



Department of Transportation
Chapter 731
Division 40
TOLLWAY PROJECTS

731-040-0010

Purpose

- (1) OAR 731, division 40, describes the process for initiating, evaluating, authorizing and administering Tollway Projects on state right of ways proposed by private entities, local or regional governments, the Oregon Department of Transportation, and combinations thereof.
- (2) OAR 731, division 40, includes requirements for submitting project proposals; guidelines for considering financial and other issues; requirements for consistency with other state and federal policies and processes; and the establishment and adjustment of toll rates by the Oregon Transportation Commission.

Statutory/Other Authority: ORS 184.619, 383.004 & 383.015

Statutes/Other Implemented: ORS 383

History:

DOT 5-2012, f. & cert. ef. 7-19-12

DOT 3-1997, f. & cert. ef. 12-29-97

731-040-0020

Definitions

As used in these OAR 731, division 40, rules:

- (1) "Commission" means the Oregon Transportation Commission.
- (2) "Department" means the Oregon Department of Transportation.
- (3) "Director" means the Director of the Oregon Department of Transportation, or the Director's designee.



EXHIBIT A TO METRO COMMENT LETTER 10/03/2024

- (4) "Interstate bridge" means a bridge over both a waterway that contains a boundary line with another state and the boundary line.

- (5) "OIPP Partnership Agreement" means a public-private partnership under the Oregon Innovative Partnership Program, as defined in OAR 731-070-0010.
- (6) "Outcome equity" means acknowledging existing inequities and striving to prevent historically excluded and underserved communities identified at the project-level from bearing a disproportionate burden of negative effects that directly result from the project, and seeking to improve community health, transportation accessibility, options for travel, and affordability for the identified community or communities.
- (7) "Private entity" has the meaning given in ORS 383.003.
- (8) "Process equity plan" means a plan for implementing a Tollway Project, from design to post-implementation monitoring and evaluation, that encourages the meaningful participation of individuals and groups from historically excluded and underserved communities, as identified for the Tollway Project.
- (9) "Related facility" has the meaning given in ORS 383.003.
- (10) "Toll" has the meaning given in ORS 383.003.
- (11) "Tollway operator" has the meaning given in ORS 383.003.
- (12) "Tollway project" has the meaning given in ORS 383.003.
- (13) "Tollway Concept Proposal" or "TCP" means an unsolicited preliminary proposal for a tollway project that is used to investigate the project's feasibility and potential impacts and benefits.
- (14) "Unit of government" has the meaning given in ORS 383.003.

Statutory/Other Authority: ORS 184.619, 383.003, 383.004, 383.014 & 383.015

Statutes/Other Implemented: ORS 383

History:

DOT 5-2012, f. & cert. ef. 7-19-12

DOT 3-1997, f. & cert. ef. 12-29-97

731-040-0030

Administrative Fees for Unsolicited Tollway Concept Proposals

- (1) A private entity, individual or unit of government may submit an application for review of an unsolicited Tollway Concept Proposal at any time. A private entity or individual must pay an administrative fee of \$5,000 to the Department for the

Department's review of an unsolicited TCP. The fee to submit a revised Tollway

Concept Proposal for Department review is \$2,500. Administrative fees are due and payable at the time of application submission. Applications submitted without the fee will not be reviewed by the Department. A unit of government is not required to pay an administrative fee for the review of an unsolicited TCP.

Statutory/Other Authority: ORS 184.619 & 383.015

Statutes/Other Implemented: ORS 383

History:

DOT 5-2012, f. & cert. ef. 7-19-12

DOT 3-1997, f. & cert. ef. 12-29-97

731-040-0031

Initiation Process for Unsolicited Tollway Concept Proposals

- (1) This rule applies to unsolicited TCPs from private entities, individuals and units of government, pursuant to ORS 383.015.
2. Any administrative fees described in OAR 731-040-0030 must accompany the application. The Department will publish the requirements for content and format of a TCP application on the Department's website. **Requirements include but are not limited to:**
 - a) Information about the applicant entity or consortium of entities (private, public or a combination) including financial information, experience in transportation infrastructure development, public-private partnerships, or federal-aid highway construction.
 - b) A description of the proposed Tollway Project scope, location, and all proposed interconnections with other transportation facilities; the key risks and assumptions associated with the Project.
 - c) A description of any work completed to develop the Tollway Project, including planning, environmental analysis, or preliminary engineering.
 - d) A discussion of support or opposition from local governments and communities impacted by the project, the significant social and economic benefits and burdens of the project.
 - e) A discussion of project financing, including secured or pledged funds, and their source, anticipated public funding, including funds sought from the Department.

- (2) The Department will review the TCP and make a recommendation to the Commission based on the criteria in ORS 383.015.
- (3) Based on the agency recommendation, the Commission may:
 - (a) Approve the proposed concept for further development into a full tollway project through a competitive solicitation for an OIPP project or a Department-initiated tollway project; or
 - (b) Reject the proposal.
- (4) A Tollway Concept Proposal may be revised and re-submitted by the proposer for Department reconsideration and recommendation to the Commission once, unless otherwise directed by the Commission or Department. The resubmittal fee described in 731-040-0030 must accompany the resubmitted proposal.

Statutory/Other Authority: ORS 184.619 & 383.015

Statutes/Other Implemented: ORS 383.015

History:

731-040-0040

Authorization of Tollway Projects

- (1) This rule applies to all proposed tollway projects.
- (2) The Department will evaluate a proposed tollway project and provide findings and a recommendation to the Commission. The Department may not recommend authorization of a tollway project unless the Department makes one of the findings described in ORS 383.015(3).
- (3) The Commission will review the proposed tollway project, the Department's findings and recommendations, the factors identified in ORS 383.015(2), and consider the following:
 - (a) How the proposed tollway project will coordinate tolling with existing and potential new transportation services or investments to address congestion on the tollway.
 - (b) How the proposed tollway project will incorporate process equity and outcome equity into the project's design, implementation, and operations.
- (4) Upon review of the proposed tollway project, the Commission will authorize, authorize with conditions, or reject the proposal. A Commission decision is issued in

writing.

- (5) A proposal may be revised and re-submitted by the proposer for Department reconsideration and recommendation to the Commission once, unless otherwise directed by the Commission or Department.

Statutory/Other Authority: ORS 184.619 & 383.015

Statutes/Other Implemented: ORS 383

History:

DOT 5-2012, f. & cert. ef. 7-19-12

DOT 3-1997, f. & cert. ef. 12-29-97

731-040-0041

Authorization of Tollway Projects on Interstate Bridges

- (1) This rule applies to all proposed tollway projects to establish tolls on an interstate bridge that is or will be a state highway under the Department's jurisdiction, including proposals submitted by the Department and proposals submitted jointly with the Department under the authority of ORS 381.010 (Columbia River bridges) or ORS 381.098 (Snake River bridges). These tollway projects are also subject to the requirements of OAR 731-040-0040.
- (2) The Department will consider the factors identified in OAR 731-040-0040 in evaluating the proposal and provide findings and a recommendation to the Commission. The Department may not recommend authorization of a tollway project unless the Department makes one of the findings described in ORS 383.015(3).
- (3) The Commission will consider the tollway project proposal, the Department's findings and recommendations, and all of the following:
- (a) Whether another state has any authority over the bridge.
 - (b) Whether the proposal has been authorized, or is expected to be authorized, by the governing body with jurisdiction over the proposal in the other state linked to Oregon by the bridge.
 - (c) Whether the proposal is consistent with any conditions imposed by the governing body with jurisdiction over the proposal in the other state, if any.
 - (d) Whether the proposer has legal authority to implement the project in the other state, and if not, the level of coordination between the proposer and the entity having such authority.

- (4) The Commission will authorize, authorize with conditions, or reject the proposal. A Commission decision is issued in writing.
- (5) A proposal may be revised and re-submitted by the proposer for Department reconsideration and recommendation to the Commission once, unless otherwise directed by the Commission or Department.

Statutory/Other Authority: ORS 184.619 & 383.015

Statutes/Other Implemented: ORS 383

History:

DOT 5-2012, f. & cert. ef. 7-19-12

DOT 3-1997, f. & cert. ef. 12-29-97

731-040-0050

Process for Approving Initial Rates on Tollways

- (1) This rule applies to all proposals to approve initial toll rates on an authorized tollway project, including proposals submitted jointly with the Department under an OIPP agreement.
- (2) The operator must create a process equity plan prior to submitting a proposal for initial rates and the rate proposal must include feedback on the proposed rate obtained by engaging with communities identified in the process equity plan.
- (3) The toll rate proposal must include an evaluation of how outcome equity has informed the design of the proposal and plans for how it will inform the implementation and operation of the tolled facility.
- (4) The Department will evaluate the toll rate proposal and provide a recommendation to the Commission.
- (5) When establishing initial toll rates, the Commission must consider the Department's recommendations and the factors described in ORS 383.004 and set rates to address the following:
 - (a) The cost of toll operations and improvements, preservation, and maintenance of the tollway project, tollway, and related facilities, including paying any debt service issued to finance tollway projects.
 - (b) Management of congestion to desired thresholds, as established for the tollway_ and adjacent roadways, including but not limited to, travel times, speeds, reliability, increasing accessibility, reducing greenhouse gas emissions, and avoiding, to the extent practicable, the reduction of existing service levels on

the tollway.

(c) Authorizing toll reductions or exemptions based on low income status or tribal status.

(d) Relevant state, regional and local GHG emissions reductions targets, including those described in OAR 660-044-0020.

(b)(e)

Formatted: Font: 12 pt

Formatted: Indent: Left: 0.1", Hanging: 0.25", Right: 0", No bullets or numbering, Tab stops: Not at 0.6"

Formatted: Font: 12 pt

Formatted: Indent: Left: 0.1", Hanging: 0.25", Right: 0", No bullets or numbering, Tab stops: Not at 0.6"

Formatted

- (6) In addition to the factors described in section (5) of this rule, the Commission may consider:
- (a) Authorizing toll reductions or exemptions. The reduction or exemption may be limited and directly related to the needs for operation, maintenance, safety, person-carrying capacity of the roadway, or for emergency response.
 - (b) Simplifying the rate structure to help with communication and public understanding, which may include minimizing the number of different rates, limiting rate changes throughout the day, or rounding rates to the closest 5 cent increment.
 - (c) Determining how or if to apply toll rates for overnight and non-congested periods.
 - (d) Structuring rates to encourage users to shift trips to less busy times of day, telecommute, or use other modes of transportation, such as public transportation, carpools, biking, and walking.
 - (e) Setting rates based on vehicle classification, in accordance with requirements for fairness and proportionality between classes of vehicles, as provided in Article IX, section 3 a (3), of the Oregon Constitution.
- (7) The Commission will approve, conditionally approve, or disapprove a proposal to establish initial toll rates. A Commission decision is issued in writing.

Statutory/Other Authority: ORS 184.619 & 383.004
Statutes/Other Implemented: ORS 383.004, 383.035
History:
DOT 5-2012, f. & cert. ef. 7-19-12

731-040-0051

Process for Approving Initial Rates on Tollways on Interstate Bridges

- (1) This rule applies to a proposal to approve initial toll rates on an interstate bridge that is or will be a state highway under the Department's jurisdiction, including proposals submitted by the Department, or jointly with the Department under ORS 381.010 (Columbia River bridges), or ORS 381.098 (Snake River bridges). Approval of tolls on interstate bridges is also subject to the requirements of OAR 731-040-0050.
- (2) The proposal must be submitted to the Department for review. The Department will consider the factors identified in OAR 731-040-0050 in evaluating the initial toll rate

proposal and provide a recommendation to the Commission.

- (3) The Commission will consider the Department's recommendation, the factors identified in OAR 731-040-0050, and all the following:
- (a) Whether another state has any authority over the bridge.
 - (b) Whether the proposal has been authorized, or is expected to be authorized, by the governing body with jurisdiction over the proposal in the other state linked to Oregon by the bridge.
 - (c) Whether the proposal is consistent with any conditions imposed by the governing body with jurisdiction over the proposal in the other state, if any.
 - (d) Whether the proposer has legal authority to implement the project in the other state, and if not, the level of coordination between the proposer and the entity having such authority.
- (6) The Commission will approve, conditionally approve, or disapprove a proposal to establish initial toll rates. A Commission decision is issued in writing.

Statutory/Other Authority: ORS 184.619, 381.010, 381.098 & 383.004

Statutes/Other Implemented: ORS 383

History:

DOT 5-2012, f. & cert. ef. 7-19-12

731-040-0060

Process for Approving Revised Rates

- (1) This rule applies to a tollway operator, including a tollway operator operating jointly with the Department under an OIPP agreement.
- (2) Proposals to revise toll rates shall include analysis and documentation of the following:
- (a) How the proposed toll rate revisions account for the factors in OAR 731-040-0050(5) and (6).
 - (b) Feedback gained from engagement with communities identified in the process equity plan on the revised toll rates.
 - (c) How outcome equity will be impacted by the revised toll rates; and

- (d) Explaining revisions to the toll rates, toll exemptions, reductions, or toll rates for different vehicle classifications.
- (3) The Department will consider the operator's performance review(s), described in OAR 731-040-0059, evaluate the proposed toll rate revisions and provide a recommendation to the Commission.
- (4) The Commission will review the Department's recommendation and approve, conditionally approve, or disapprove a proposal to revise toll rates. A Commission decision is issued in writing.

Statutory/Other Authority: ORS 184.619 & 383.004

Statutes/Other Implemented: ORS 383

History:

DOT 5-2012, f. & cert. ef. 7-19-12

731-040-0061

Process for Approving Revised Rates on Interstate Bridges

- (1) This rule applies to a tollway operator's proposal to revise the tolls on a tollway on an interstate bridge that is or will be a state highway under the Department's jurisdiction, including proposals submitted by the department, or jointly with the department under ORS 381.010 (Columbia River bridges) or ORS 381.098 (Snake River bridges). Approval of revised toll rates on these interstate bridges is also subject to the requirements of OAR 731-040-0060.
- (2) The Department will consider the operator's performance review(s), described in OAR 731-040-0059, evaluate the proposed revisions and provide a recommendation to the Commission.
- (3) The Commission will consider the Department's recommendation, and all of the following:
 - (a) Whether another state has any authority over the bridge.
 - (b) Whether the proposed toll schedule has been authorized, or is expected to be authorized, by the governing body with jurisdiction over the project in the other state linked to Oregon by the bridge.
 - (c) Whether the proposal is consistent with any conditions imposed by the governing body with jurisdiction over the proposed toll schedule in the other state, if any.

- (d) Whether the proposer has legal authority to approve the toll schedule in the other state, and if not, the level of coordination between the proposer and the entity having such authority.
- (4) The Commission will approve, conditionally approve, or disapprove a proposal to revise toll rates. A Commission decision is issued in writing.

Statutory/Other Authority: ORS 184.619, 381.010, 381.098 & 383.004
Statutes/Other Implemented: ORS 383
History:
DOT 5-2012, f. & cert. ef. 7-19-12

OAR 731-040-0062
Tolling System Compatibility with the State of Washington

Toll collection and enforcement systems used on tollways in Oregon shall be interoperable with toll collection and enforcement systems used in the State of Washington to the extent technology permits.

Statutory/Other Authority: ORS 383.014
Statutes/Other Implemented: ORS 383
History:.

OAR 731-040-0064
Civil Penalties for Failure to Pay a Toll

(1) In addition to any other penalty or sanction provided by law, a person who is required to pay a toll as described in ORS 383.035 and fails to pay a toll established pursuant to ORS 383.004, shall pay to the department, for each unpaid toll:

- (a) The amount of the toll;
- (b) For the first unpaid toll, a civil penalty of \$15; and,
- (c) For each subsequent unpaid toll: The limit provided in ORS 383.035;

(2) Each time a bill is sent to a person for an unpaid toll, an administrative fee of \$2 shall be assessed as reimbursement for labor, materials, printing and postage expenses.

(3) The department shall create a customer resolution program to support customers in paying their unpaid tolls and in lowering administrative costs for toll enforcement. This could look like:

(a) First Request: Customer must pay all original tolls to get waiver of late fees and penalties.

(b) Second Request: Customer must create an account and pay all original tolls and reprocessing fees to get waiver of penalties.

(2)(c) Third Request: Customer must submit a formal dispute to an administrative law judge.

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Formatted

(3)(4) An unpaid toll will be considered a subsequent unpaid toll if the person was assessed a civil penalty for an unpaid toll within three years of the unpaid toll under consideration.

(4)(5) Civil penalties and administrative fees assessed under this rule shall be collected as provided in ORS 183.745 and according to the procedures in OAR 137-003-0501 to 137-003-0700.

(5)(6) The department shall refuse to renew the motor vehicle registration of the motor vehicle owned by a person who at the time of application for registration has unpaid tolls, civil penalties or any administrative fees charged under this section.

Statutory/Other Authority: ORS 184.616, 184.619, 802.010, 383.035, 383.055

Statutes/Other Implemented: ORS 383.035, 383.055

History: DOT 5-2012, f. & cert. ef. 7-19-12

731-040-0065 Tollway Operator Performance Review

- (1) This rule applies to tollway operators, including those operating jointly with the Department under an OIPP agreement.
- (2) A tollway operator shall provide a written annual performance review of the tollway to the Department and Commission no later than one year from the date of commencing operations. Subsequent annual reviews shall cover a state fiscal year and be due after the end of the fiscal year. If the tollway operator intends to propose revised toll rates in the coming fiscal year, the tollway operator shall include the analysis and documentation described in OAR 731-040-0060(2) in the review.
- (3) The written annual performance review must include the following:



- (a) Revenue and administration costs for the tollway project and tollway.
- (b) Status of tollway project investments, financing requirements, and needs for maintenance, operations, preservation, and rehabilitation.
- (c) A report on mobility and safety of the tollway and adjacent roadways included in the tollway project footprint and any changes to travel patterns associated with imposing tolls.

- (d) Overall amount of tolls collected, and tolls collected, including tolls owed, by vehicle classification.
- (e) Vehicle trip counts and transit passenger counts, both on the tolled facility and adjacent facilities that may experience diversion as a result of tolling ~~Information on transportation mobility and air quality, where monitoring data is available,~~ that would inform the Department's pursuit of state greenhouse gas emissions reduction and air quality goals.
- (f) Number and classification of vehicles receiving reductions and exemptions, the impact of reductions and exemptions to revenue and administration costs.
- (g) If a low-income toll program applies to the tollway, the number of vehicles enrolled in a low-income toll program as a percentage of the estimated number of potentially qualifying customers for that tollway, the impact to revenue and administration costs, and a report on the aggregate travel patterns of vehicles participating in a low-income toll program.

Statutory/Other Authority: ORS
Statutes/Other Implemented: ORS 383
History:

731-040-0075 Customer Data

- (1) Customer records and information used to collect and enforce tolls follow the disclosure requirements specified in ORS 383.075.
- (2) Public records request fees and requirements for the Department are described in OAR 731-001-0025.
- (3) An individual requesting customer records or data must submit a request in writing as prescribed by the Department, which is identified on the Department's webpage. The request must include:
 - (a) Government issued identification to verify the identity of the requestor.
 - (b) Information demonstrating that the requester is one of authorized individuals or entities that may access driver records and information used to collect and enforce tolls, as is identified in ORS 383.075(2) and (3).
 - (c) A description of the requester's intended use of the information and how that intended use will conform to the requirements in ORS 383.075.

- (4) The Department may disclose the requested records if the Department is satisfied that requester has provided reasonable assurances that the requester's identity, uses of the information, and any applicable permissions comply with the requirements of this rule and ORS 383.075.

Statutory/Other Authority: ORS 383.075, 192.324, 183.413 to 183.470, 183.745

Statutes/Other Implemented:

History: