

Importance:

Colorado and the region face serious funding shortages for meeting transportation needs. The DRCOG Board recognizes that tolling and congestion pricing are important tools to improve the region's transportation system and to address the region's congestion.

Background/Key Issues:

Tolling and congestion pricing are being considered across the nation for building, operating and maintaining, and managing transportation infrastructure. The DRCOG Board has taken action to include tolling projects in the Fiscally Constrained Regional Transportation Plan (RTP). The following information capsules recent toll-related activities in the region:

1. The Colorado Department of Transportation's Colorado Tolling Enterprise (now the High Performance Transportation Enterprise) converted the I-25 high-occupancy vehicle (HOV) lanes to high-occupancy toll (HOT) lanes in 2006. The use of these lanes has far exceeded expectations.
2. The Northwest Parkway was leased to a concessionaire in 2007.
3. The E-470 Authority has been operating the E-470 toll highway for 18 years and converted from tollbooths to a cashless system of toll collection in 2009.
4. Changing previously identified HOV lanes on US 36 to managed toll lanes (through variable pricing for Single Occupant Vehicles) was amended into the Fiscally Constrained RTP in August 2009.
5. The Jefferson Parkway was amended into the Fiscally Constrained RTP in January 2010.

The DRCOG Board has had several discussions through the years about the use of tolling for public roads or highways, especially surrounding issues of equity for the region's citizens. Generally the Board supports tolling with the following conditions:

- ▶ Any road or highway in the region must be reviewed and approved by the DRCOG Board for inclusion in the Fiscally Constrained RTP.
- ▶ Toll receipts must remain in the toll highway system within the region that is tolled.
- ▶ Toll receipts can be used for multimodal improvements.

Issues Paper

Highway Tolling

In January 2009, the DRCOG Board enacted procedures for adding toll roads to the Fiscally Constrained RTP. The Board did so within a context of not wishing to create unnecessary obstacles to the addition of such facilities in the RTP and yet have an opportunity to assess the amendment request. The Board declared that the current process for roadway amendment requests for the Fiscally Constrained RTP can be used for all roadway projects except those submitted by the High Performance Transportation Enterprise (HPTE) or a (private) toll highway company. For projects sponsored by the HPTE or a toll highway company, the Board requires additional information on project feasibility, project financing, environmental examinations conducted, and consultation accomplished with local governments and other planning agencies. CDOT, on behalf of the HPTE, submitted such information to support Board action on adding the US 36 managed toll lanes to the Fiscally Constrained RTP. Toll highway companies must also provide the DRCOG Board with information about final environmental documentation; identification of non-compete clauses; land use assumptions within 5 miles of the toll highway corridor; a discussion of mitigation of negative impacts on local governments; and commitments to offset the costs of public services that will be necessary as a result of the development of the toll project.

The DRCOG Board supported SB 09-108 (FASTER), which addressed a variety of transportation funding provisions. FASTER was signed into law by Governor Bill Ritter on March 2, 2009. A provision of the legislation creates the HPTE (formerly the Colorado Tolling Enterprise) with the authority to pursue innovative financing strategies, including certificates of participation, public-private partnerships, operating concession agreements, user-fee financing (including tolls) and design/build contracting. The HPTE also is granted the ability to impose tolls or other user fees on existing highway capacity but only if approval is obtained from every local government that includes territory in which all or any portion of the highway segment or highway lanes is contained or that will otherwise be substantially impacted by the tolls or user fees.

Status (as of February 2010):

As the DRCOG Board continues to support innovative ways to build, operate and maintain, and manage transportation systems, equity for the region's citizens will continue to play a central role.

For more information, contact:

**Pat Cronenberger at 303-480-6727 or
pcronenberger@drcog.org**