

EMAC Meeting #24 Materials

1. Meeting #24 Agenda
2. RMPP Options: Modeled Findings and Tradeoffs Evaluation
3. Tolling Implementation Update Packet
4. Self-Certification Research Memo
5. Draft Toll Rules
6. Low-Income Process Flow
7. 2022 – 2025 EMAC Work Plan Summary
8. Memorandum: Next Steps from the EMAC-ODOT Accountability Workshop #1
9. Meeting #23 Summary
10. Meeting #24 Presentation
11. Submitted Public Comment

Meeting Agenda

Subject	Equity and Mobility Advisory Committee Meeting #24
Date and Time	October 4, 2023/2:30 p.m. to 5:00 p.m.
Zoom Info	Please click the link below to join the webinar: https://us02web.zoom.us/j/82753659029 Webinar ID: 827 5365 9029
Facilitator	Jessica Stanton

Committee Members	Organization
Ismael Armenta	At-large member; Oregon Walks
Tangerine Behere	Ride Connection
Paul Burgess	Fourth Plain Forward
Jeff Christian	At-large member; Columbia Distribution
LaQuinta Daniels	Clark County Juvenile Court
Germaine Flentroy	Beyond Black/Play, Grow, Learn
Amanda Garcia-Snell	Washington County Community Engagement
John Gardner	TriMet
Fabian Hidalgo Guerrero	At-large member; Oregon Food Bank
Olivia Holden	At-large member; City of Vancouver
Duana Johnson	At-large member
James Paulson	WorkSystems, Inc.
Adam Torres	Clackamas County Public Health
Rachel Winslow	At-large member
Dr. Philip Wu	Oregon Environmental Council
Commissioner Sharon Smith	Oregon Transportation Commission (OTC) Liaison

Objectives

- Review and discuss Regional Mobility Pricing Project options and evaluation findings.
- Receive an update on ODOT’s work to implement tolling and upcoming decisions related to the Low-Income Toll Program.
- Update the committee on how ODOT is advancing equity in the Toll Program.

Meeting Agenda

Equity and Mobility Advisory Committee Meeting #24 October 4, 2023/2:30 p.m. to 5:00 p.m.

Materials

- Meeting agenda
- PowerPoint presentation
- RMPP Options: Modeled Findings and Tradeoffs Evaluation
- Tolling Implementation Update Packet
- Self-Certification Research Memo
- Draft Toll Rules
- Low-Income Process Flow
- EMAC Workplan Summary (updated 9/27/23)
- Memorandum: Next Steps from the EMAC-ODOT Accountability Workshop #1
- Meeting 23 Summary
- Submitted Public Comments

Agenda

Time	Item	Lead
2:30 p.m. (10 minutes)	Welcome and Objectives <ul style="list-style-type: none"> - Review Meeting 24 meeting objectives 	Jessica Stanton, Facilitator
2:40 p.m. (60 minutes)	Low-Income Toll Options <ul style="list-style-type: none"> - Update on low-income toll program rulemaking processes - Analysis and trade-offs of low-income options at 200% and 400% of the Federal Poverty Line (FPL) - Benefit types: free trips, credits, or discounts - Low-income toll program geographic scope/extent <p>Discussion:</p> <ul style="list-style-type: none"> • What feedback do you have for ODOT about tradeoffs between implementing a 0-200% FPL option and getting a 400% FPL option off the ground? • Should everyone pay something or is it important for there to be a free option? • What low-income options should be studied in the toll rate setting process? • What is the type of benefit (free trips, discounts, or credits) we should move forward? • What should ODOT consider to make this decision? • What is an appropriate geographic scope/extent for the low-income toll program? 	Jessica Stanton, Facilitator Garet Prior, ODOT
3:40 p.m.	Break	

Meeting Agenda

Equity and Mobility Advisory Committee Meeting #24 October 4, 2023/2:30 p.m. to 5:00 p.m.

Time	Item	Lead
3:45 p.m. (35 minutes)	<p>Regional Mobility Pricing Project (RMPP) Options</p> <ul style="list-style-type: none"> - Review of RMPP project options and EMAC’s input - Project option modeling results - Refining options and additional equity analysis considerations - Next steps in the RMPP process <p>Discussion:</p> <ul style="list-style-type: none"> • What additional information is needed to better understand and refine the RMPP Options from an equity perspective? 	Jessica Stanton, Facilitator Mandy Putney, ODOT Josh Channell, Project Team
4:20 p.m.	Break	
4:25 p.m. (20 minutes)	<p>Updates on Advancing Equity</p> <ul style="list-style-type: none"> - Multimodal investments: Public Transportation Strategy and nexus projects - Equitable engagement - Updates on RTAC and STRAC progress from EMAC liaisons 	Jessica Stanton, Facilitator Mandy Putney, ODOT Dr. Phil Wu, EMAC Liaison to STRAC James Paulson, EMAC Liaison to RTAC
4:45 p.m. (10 minutes)	<p>Public Comment</p> <ul style="list-style-type: none"> - Public comment - Comments from EMAC members about what they are hearing from their community 	Nick Fazio, Project Team Members of the Public
4:55 p.m. (5 minutes)	<p>Going forward</p> <ul style="list-style-type: none"> - Next steps - Next meeting - Closing 	Jessica Stanton, Facilitator
5:00 p.m.	Adjourn	All

Please note that committee member comments during meetings are part of the public record and open to public records requests through the Oregon Public Records and Meetings Law.

Public Comment

We welcome public comment to the Equity and Mobility Advisory Committee. You can submit written or verbal comments at any time. **Please submit comments by email (oregontolling@odot.state.or.us) with “Committee Public Comment” in the subject line, or call 503-837-3536 and state “Committee Public Comment” in your message.** If we receive your comment by 11:00 a.m. two business days before the meeting, we will send them to the committee in advance. All comments received after 11:00 a.m. two business days before the meeting will be provided to the committee at the next meeting. We will ensure that all written and verbal comments we receive prior to or at the meeting are included in the meeting summary.

Meeting Agenda

Equity and Mobility Advisory Committee Meeting #24 October 4, 2023/2:30 p.m. to 5:00 p.m.

Si desea obtener información sobre este proyecto traducida al español, sírvase llamar al 503-731- 4128.

Nếu quý vị muốn thông tin về dự án này được dịch sang tiếng Việt, xin gọi 503-731-4128.

Если вы хотите чтобы информация об этом проекте была переведена на русский язык, пожалуйста, звоните по телефону 503-731-4128.

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Equity and Mobility Advisory Committee Purpose

The committee shall advise the Oregon Transportation Commission by:

- Providing input and supporting ODOT during the technical and environmental review process to ensure milestone decisions and project developments are grounded in the draft toll projects' equity framework, including the development and refinement of performance measures and the evaluation of alternatives for the I-205 Toll Project and the Regional Mobility Pricing Project.
- Providing input on mobility and equity strategies as the I-205 Toll Project and the Regional Mobility Pricing Project are going through the environmental review process, including:
 - Availability of transit and other transportation options
 - Transportation needs of, and benefits for, people of color and people with low-incomes, limited English proficiency or disabilities that live near or travel through the project area
 - Better understanding of neighborhood benefits and impacts for the communities near the tolled facilities (e.g., changes to cut-through traffic, pedestrian and bicycle options, transit access)
- Developing an equitable engagement plan that will result in ongoing input and participation from communities that have been historically and are currently underrepresented in transportation planning
- Supporting the implementation of the equitable engagement plan by hosting or cohosting meetings, events and/or other activities as determined by the engagement plan

Regional Mobility Pricing Project

Date	September 11, 2023
Subject	Regional Mobility Pricing Project Options: Modeled Findings and Trade Offs Evaluation

Options for the Regional Mobility Pricing Project were recently compared against one another in a screening-level analysis. One option would toll the full system and two options would toll only within toll zones. High level findings and differences between options are summarized below. The results will be considered by ODOT, agency partners and the public before one refined option is selected in fall 2023 for a comprehensive analysis. The options being evaluated are below.

Option 1: Full System	Option 2a: Toll Zones	Option 2b: Toll Zones with Interchange Zone
<ul style="list-style-type: none"> • Base toll during daytime hours (5 AM to 9 PM) plus Congestion Area tolls during peak hours • All trips using I-5 or I-205 pay a toll during daytime hours (5 AM to 9 PM) • More than 60 toll points on entrance ramps to charge base toll • Five Congestion Area toll points on I-5 and three Congestion Area toll points on I-205 	<ul style="list-style-type: none"> • No base toll • Tolls applied when needed to manage congestion (\$0 tolls applied during some daytime hours) • 55% - 60% of trips that use I-5 and I-205 pay a toll • Four toll zones on I-5 and three toll zones on I-205 • One toll paid per zone, regardless of number of toll points passed 	<ul style="list-style-type: none"> • No base toll • Tolls applied when needed to manage congestion (\$0 tolls applied during some daytime hours) • 60% - 65% of trips that use I-5 and I-205 pay a toll • Three toll zones on I-5, three toll zones on I-205, and one I-5/I-205 interchange zone • One toll paid per zone, regardless of number of toll points passed

Key Takeaways from RMPP Options Evaluation Process

All options are shown to meet the project objectives with similar outcomes for I-5 and I-205 performance and net revenue. Option 1 would toll all trips with more infrastructure and higher costs, while options 2a and 2b would charge trips in high-traffic areas of I-5 and I-205 with less infrastructure and lower costs. Key takeaways from this stage of the evaluation are:

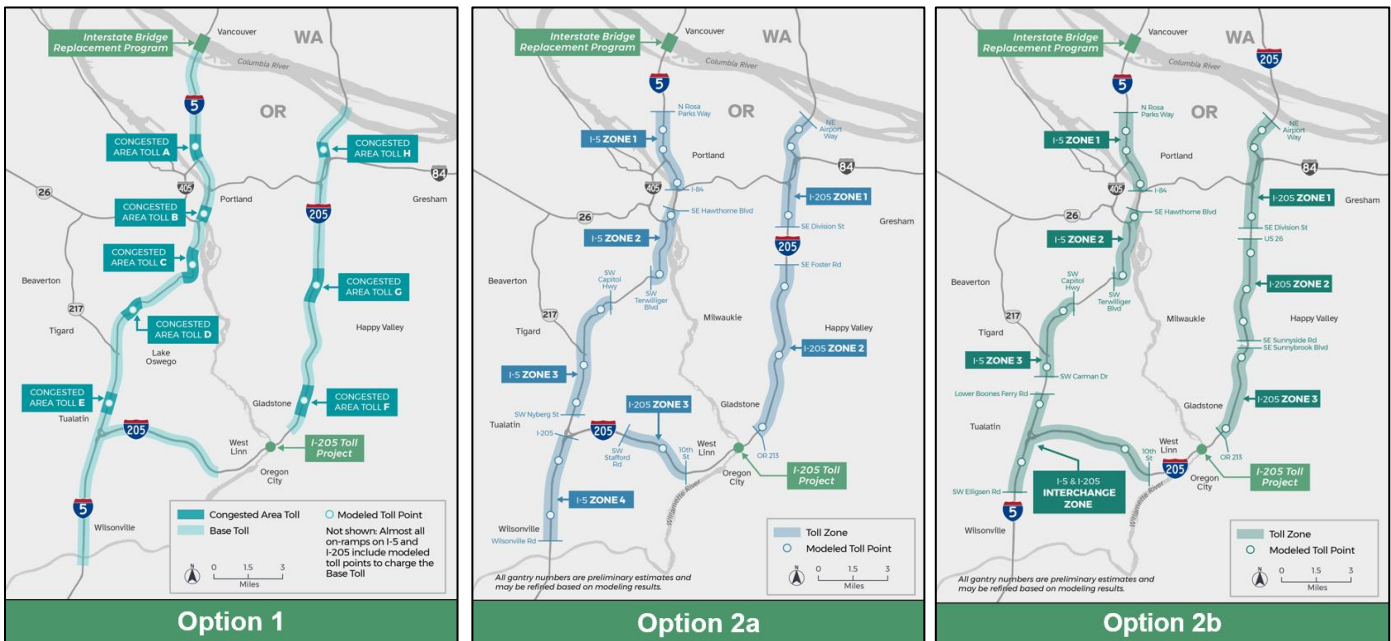
- All options result in average speeds near 45 mph and through-trip travel time savings with comparable trip costs.
- All options show reductions in vehicle miles traveled (VMT) and vehicle hours traveled (VHT) and mode shifts at the regional level, but option 1 shows the greatest mode shift.
- All options show limited diversion on a regional scale to non-tolled highways and arterials/collectors. Option 2a shows the least amount of total VMT increase on arterials and collectors.
- All options result in decreased freight traffic on local roads (tolling improves present-day freight diversion onto arterials).

Regional Mobility Pricing Project

Regional Mobility Pricing Project Options: Modeled Findings and Trade Offs Evaluation / September 11, 2023

- All options are likely to generate net revenue. Option 2b may generate slightly more net revenue than other options. This is due to the larger I-5/I-205 interchange zone.
- Option 1 has the highest capital cost due to more infrastructure. Option 1 also has the greatest potential range of capital costs due to more cost variables and vendor uncertainty.
- Option 1 is likely to take longer to implement than options 2a or 2b.

RMPP Options



Evaluation Matrix

A detailed matrix comparing the project options is attached.

Consideration	Objective	Criteria for Comparison	Option 1: Full System	Option 2a: Toll Zones	Option 2b: Toll Zones with interchange zone
<i>Modeled Considerations</i>					
Congestion and Demand Management on I-5 and I-205*	Improve efficient use of roadway infrastructure and improve travel reliability.	Vehicle Speed	Average speeds near 45 MPH		
		Through Trip Travel Time Savings	5-10 minutes on I-5 and 3-5 minutes on I-205		
Regional System Performance	Reduce vehicle miles traveled and vehicle hours traveled.	Daily Regional VMT	1% - 2% decrease		
		Daily Regional VHT	2% - 3% decrease	1% - 2% decrease	1% - 2% decrease
Diversion and VMT Change	Limit rerouting of trips away from I-5 and I-205.	Daily VMT change on Arterials and Collectors (Total)	2%-3% increase	1%-2% increase	2%-3% increase
		Daily VMT change on Other State Highways (Total)	3% - 4% decrease	2% -3% decrease	2% -3% decrease
		Daily VMT change on Arterials and Collectors (Freight only)	10% - 15% total decrease	5% - 10% total decrease	5% - 10% total decrease
		Daily VMT change on Other State Highways (Freight only)	0% - 5% increase		
Multimodal Travel	Support shifts to higher occupancy vehicles (including carpooling). Support increased transit ridership.	Mode shift to transit, active transportation, and carpool	40,000 fewer vehicles on regional roads	30,000 fewer vehicles on regional roads	30,000 fewer vehicles on regional roads
Equity Analysis of Equity Focus Areas	Support equitable and reliable access to job centers and other important community places.	Share of trips on I-5 and I-205 that start in EFAs	30% - 35%		
	Identify potential project effects to identified historically and currently excluded and underserved communities	Diversion within EFAs	Average volume-to-capacity ratio (v/c) on non-tolled roadways similar to No Action scenario		
Net Revenue Potential	Generate sufficient revenue from congestion pricing for local transportation system investments that support congestion relief and travel demand management.	Net revenue	Net revenue positive.	Net revenue positive.	Revenue positive. Could have highest revenue potential.
<i>Non-Modeled Considerations</i>					
Constructability and Capital Costs	Design a congestion pricing project that can be expanded in scale, integrated with road pricing on other regional roadways, or adapted to future road pricing system applications.	Availability and experience of tolling service providers and vendors	Limited vendors with experience	Greater availability	Greater availability
		System integration	More complex	Less complex	Less complex
		Constructability and capital cost of the toll system	\$175 - \$250 M (Least cost certainty)	\$140 - \$200 M (Most cost certainty)	\$150 - \$200 M (Most cost certainty)
		Schedule to implement	2-4 years longer to implement	Shorter implementation timeline	Shorter implementation timeline

*Note: Rate assumptions for this analysis were refined to achieve similar performance in this category. All options achieved objectives for Congestion and Demand Management on I-5 and I-205.

Legend	
	Similar results between options
	Meets project objectives and performs better than other options
	Meets project objectives but does not perform as well as other options
	Challenging to meet project objectives



Oregon

Tina Kotek, Governor

Oregon Transportation Commission

Office of the Director, MS 11

355 Capitol St NE

Salem, OR 97301-3871

DATE: August 31, 2023
TO: Oregon Transportation Commission

FROM: Kristopher W. Strickler
Director

SUBJECT: **Agenda Item J** – Tolling Implementation Update

Requested Action:

Receive an update on ODOT's work to implement tolling, focused on upcoming decisions related to the low-income toll program.

Background:

ODOT continues to make progress on a number of toll-related efforts.

- ODOT continues to work closely with its three toll-related advisory committees - the Regional Toll Advisory Committee, Statewide Toll Rule Advisory Committee (STRAC), and Equity and Mobility Advisory Committee - to develop and implement the toll program.
- After completing review of the rules around customer accounts and enforcement, the STRAC has begun work on the next section of the toll rules, focused on the rate framework—including how different vehicle types are treated, what discounts and exemptions are available, and how rates are set and adjusted.
- ODOT released the procurement to select a vendor to provide the back office and customer service center functions and will release the procurement for roadside systems (gantries and other related equipment) this fall.
- ODOT has continued consultation with tribal governments about how to apply tolls to tribal government vehicles and their members.

Over the coming months, the OTC will face important discussions and decisions about a number of important issues, including:

- Low-income toll program: How to structure a low-income toll program, including benefit levels, types, and qualifying income thresholds.
- Nexus projects and local investment: How to approach requests from local government to address the impacts of tolling on the Portland regional transportation system.
- Tribal tolls: Whether and how to exempt tribal government vehicles and their members.
- Toll discounts or exemptions: What vehicles will receive a discount or be exempt from tolls.
- Rates by vehicle type: What different vehicles (weight and size) will pay.
- I-205 Toll Project and Regional Mobility Pricing Program rate structures: Rates for toll facilities across the day.

These issues will be brought to the OTC for discussion and decision as part of the rulemaking and rate setting process.

Low Income Toll Program Development

Since 2020, when the OTC chartered an Equity and Mobility Advisory Committee (EMAC), work has been underway to understand and develop an approach to address impacts from tolling on people who are experiencing low income. In 2021, the Oregon Legislature adopted HB 3055, which directed ODOT to develop a report on the approach by the following year. This led to the [Low Income Toll Report](#), which was created with EMAC and adopted by the OTC in September 2022.

In developing the policies that will guide the program, we are building from the following actions:

- [Low Income Toll Report](#), which identified income thresholds for consideration and future evaluation with two tiers: a significant discount for those making 200% or below of the Federal Poverty Level (FPL), which is \$60,000 for a family of four in 2023, and some level of discount up to 400% of FPL, which is \$120,000 for a family of four. Also, there was a list of inclusive practices for enrollment, verification, and enforcement in the report.
- [Equity and Mobility Advisory Committee’s recommendations](#) on strategy for the low-income program investment and accountability.
- [Oregon Highway Plan Toll Amendment](#) Policy 6.10 and 6.7, which states:
 - “Road pricing should not contribute to furthering financial indebtedness for people experiencing low income. This should be considered in the establishment of rates, discounts, exemptions, payments, enrollment, penalties or free travel options available to avoid further burdening people experiencing low incomes who are struggling to meet basic needs (food, shelter, clothing, healthcare, etc.).
 - Evaluate and implement a low or no cost rate system for low-income users.”

Since the OTC’s approval of the Low Income Toll Report in September 2022, staff has been working to understand how ODOT can operate a low-income toll program on opening day. The goal is to have a program that is equity-informed, appropriately verifies eligibility, does not negatively impact financing options or congestion reduction goals, meets a defined schedule within estimated cost parameters, and limits the impact on toll rates for other toll payers.

Income-levels for these percentages are as follows:

Federal Poverty Level and Median Income by Household Size

Household Size	200% FPL (2023)	400% FPL (2023)	Portland Metro Region Median Household Income (2022)
1	\$29,160	\$58,320	\$74,550
2	\$39,440	\$78,880	\$85,200
3	\$49,720	\$99,440	\$95,850
4	\$60,000	\$120,000	\$106,500
5	\$70,280	\$140,560	\$115,020
6	\$80,560	\$161,120	\$123,540

Background

As ODOT explores a low-income toll program, we are examining potential income thresholds. In the [research review](#) of the few existing low-income toll programs, 200% of the FPL is a common income threshold for benefits. 200% of the FPL is also the approximate level for income-qualification for existing social services in Oregon. Similar to TriMet’s Low-Income Fare Program, this could allow ODOT to leverage other sources for income verification.

For context, the following are the income eligibility thresholds for a sample of other benefit programs.

- Supplemental Nutrition Assistance Program (“food stamps”): 200% of FPL
- Oregon Health Plan: 138% of FPL
- Women, Infants, and Children: 200% of FPL
- TriMet Low-Income Fare Program: 200% of FPL
- Department of Environmental Quality Charge Ahead Rebate Program for electric vehicles: 400% of FPL

Rationale for an Additional Benefit for Up to 400% of the FPL

As noted in the [Low Income Toll Report](#), the direction to consider an additional smaller discount for households with incomes up for 400%, stemmed from the following:

- Avoid a single-tier of benefits that has a drop off. People in this income bracket may experience income that fluctuates throughout the year or varies year to year; therefore, this benefit would offer some reassurance of continued benefits despite that fluctuation.
- Equity and Mobility Advisory Committee members have strongly supported a benefit tier up to 400% of the FPL.
- Reach customers making the minimum wage, which is \$15.45 for the Portland region. This would equate to a \$32,136 annual gross salary, which is approximately 210% FPL for an individual. Professions in this income bracket (200% to 400% FPL) include: Preschool teachers, home health care aids, cooks and food servers, farm workers, school janitors and bus drivers, and cashiers.
- When looking at other assessments of income, such as [Asset Limited, Income Constrained, Employed](#) or the Self-Sufficiency Standard, higher than 200% FPL would be recommended to not further add to the transportation cost burden. The following chart provides this analysis:

Portland Metro Self-Sufficiency Standard (SSS)¹ Compared to the Federal Poverty Guidelines (2021)

Household Size	1	2	3	4	5
Clackamas County	\$36,249	\$57,349	\$71,700	\$95,112	\$144,944
%FPL	281%	329%	327%	359%	467%
Multnomah County	\$31,801	\$54,173	\$70,300	\$95,727	\$154,422
%FPL	247%	311%	320%	361%	497%

¹ The [Oregon SSS](#) (Self-Sufficiency Standard for Oregon) calculates how much income a family must earn to meet basic needs and is derived from the costs of housing, childcare, food, healthcare, and transportation, plus the cost of taxes and impacts of 2021 tax credits.

Washington County	\$36,155	\$57,191	\$71,403	\$94,806	\$144,473
%FPL	281%	328%	325%	358%	465%
Clark County	\$30,756	\$48,584	\$60,219	\$79,647	\$120,376
%FPL	239%	279%	274%	301%	388%

OTC Action Needed by December 2023

Based on feedback from the Commission to date, ODOT is committed to a program that, at a minimum, provides benefits for drivers with a household income equal to or below 200% of the Federal Poverty Level (FPL). ODOT is working to incorporate as many of the inclusive practices for enrollment, verification, and enforcement as possible that were identified in the Low Income Toll Report. As noted in the report, a cumbersome verification processes in other low-income toll programs were a major factor in why other programs have low enrollment.

Governor Kotek has directed ODOT to report on the agency's plans to address equity concerns related to tolling by December 15, 2023. ODOT plans to bring key policy issues to the Commission prior to submission of this report. In particular, ODOT will bring forward two specific policy decisions for the Commission to provide direction to include in this report.

- **The scope of a low-income toll program for drivers at or below 200% of FPL.** Initial analysis indicates a program providing a significant discount for those at or below 200% of FPL can be structured in a way that will likely not have significant impact on traffic or toll revenue. Based on additional analysis, ODOT will bring the Commission options for the benefit level for those at or below 200% of FPL, with the intent to implement this benefit on opening day. If approved by the Commission, this option will be modeled in the I-205 Level 3 traffic and revenue analysis and the Regional Mobility Pricing Project traffic and revenue analyses and incorporated into toll rules. Based on the final outcomes of these rigorous analyses, modifications may be made to the program prior to implementing tolling.
- **Options for a 200-400% of FPL program to analyze in greater depth.** ODOT believes additional analysis will be necessary for committing to a program for 200-400% of FPL, as few if any toll agencies have implemented such a program and the potential for traffic and revenue impacts could be significant. ODOT will bring forward options and ask the Commission to provide direction on whether to consider such a program and if so what options to analyze in future toll traffic and revenue analyses in order to provide full information for the Commission to make a decision in 2025 prior to implementation of tolling.

As a result of implementation issues identified (noted below in the background section), ODOT recommends taking a more deliberative approach to consideration of any benefits above 200% FPL that will require additional analysis prior to the Commission making a decision.

Implementation Analysis Needed for an Additional Benefit at 400% of the FPL

During ODOT's investigation of what is needed to deliver the I-205 Toll Project and a low-income toll program timely and efficiently, we encountered issues that need to be worked through before committing to an additional tier of benefits above 200% of the FPL. These include:

- **Revenue impact:** Based on preliminary analysis, ODOT believes providing a discount to households earning less than 200% of FPL is unlikely to result in significant revenue loss because few people at this income level would pay a toll without a discount. However, revenue loss from a benefit that extends above 200% may be more significant, depending on the size and type of benefit. ODOT is conducting further analysis of low-income program options to better understand impacts to revenue and congestion.
- **Financing:** Because Oregon does not currently operate a toll program, and therefore does not have a track record of operating a toll program, net toll revenues are unknown and entail some level of risk against which to bond. Nationally, low-income toll programs do not offer benefits up to 400% of FPL, therefore there is little or no precedent and potential participation is unknown. Because the risk for potential investors is also unknown, the Traffic and Revenue analysis, which is typically designed to be conservative, may discount revenue expectations. The more uncertainty there is, the less attractive the debt offering, jeopardizing ODOT's toll credit rating, increasing the cost of bonding, and potentially requiring further credit support from the State Highway Fund.
- **Traffic impact:** Reduced tolls for people making up to 400% of FPL will increase traffic on tolled facilities, obviating some of the congestion relief from the project and implementation of tolls. Additional analysis is needed to determine impacts.
- **Eligibility verification:** In order to ensure that people accurately access benefits, ODOT will need to have a system to verify eligibility. ODOT is planning to use existing benefits programs to verify income up to 200% of FPL. However, few if any benefit programs extend to 400% FPL, so eligibility verification will be challenging. This may require creating an income verification system with the Oregon Department of Revenue or other state agencies that will take time to put in place. The geographic extent of the program will also have to be determined. Processing income requests from outside of Oregon and without interoperability agreements will add complexity and cost.
- **Cost of implementation and operations:** Adding complexity to the toll operations system will come with increased costs to implement and operate, including the potential for significant additional staffing.
- **Schedule:** An extensive toll relief program with different benefit levels and eligibility and income verification requirements will require customization because this is not part of most toll programs. The more unique our desires, the more difficult it will be for vendors to identify solutions, and this will in turn increase the cost of implementation and time to complete.

New Analysis of Low-Income Toll Program Options for I-205 Toll Project

ODOT has engaged a consultant to complete a preliminary traffic and revenue analysis of a variety of options. As shown in the table below, most options other than a 100% discount have relatively small revenue and traffic impacts for I-205. The full analysis is included in the attachment.

Preliminary Traffic and Revenue Analysis for I-205 Toll Project

		Value	Enrollment*	Revenue*	Traffic*
<200% Options					
1	100% discount	\$115	23.0%	-6.9%	+5.0%
2	50% discount	\$45	6.0%	-0.6%	+0.7%
3	Credit (\$45 monthly)	\$45	6.0%	-1.0%	+0.7%
200-400% Options					
9	Credit (small)	\$5	0.5%	0.0%	0.0%
10	Credit (larger)	\$20	0.5%	-0.1%	0.0%
11	25% discount	\$25	1.1%	-0.2%	+0.1%

Feedback Requested:

1. Does the Commission agree with the proposed approach to commit to providing a specified benefit to households earning at or below 200% of Federal Poverty Level by the end of 2023?
2. Does the Commission agree with ODOT’s recommendation to conduct further analysis of options for reduced tolls for people earning up to 400% of Federal Poverty Level before making a commitment to such a benefit in 2025?
3. What level of traffic and revenue impact is acceptable for the low-income toll program?
4. What information will the Commission need in order to make decisions on both points by the end of 2023?

Outcomes:

Based on Commission feedback, ODOT will finalize analysis of low-income toll program options and bring those to the Commission for feedback and decisions in November.

Attachments:

- Attachment 01 – Low Income Toll Program: Technical Analysis



Low-Income Toll Program Development: Technical Analysis

Recap of key takeaways from previous analysis conducted for the [Low Income Toll Report \(2022\)](#)

- 0-200% Federal Poverty Level (FPL) 50% discount showed almost no impact (around 1%) to traffic and revenue. The offering of some discount at this level actually attracts the lowest income drivers back to the tollway.
- 200-400% FPL 50% discount had a larger possible impact to traffic and revenue (10-15% estimate). The Low Income Toll Report's recommendation was to further investigate a smaller benefit for 200-400% FPL, than 0-200% FPL.
100% enrollment of potential users was assumed in the modeling. Achieving 100% enrollment would be unparalleled in the industry. Of the 17 other programs we have been tracking, achieving 10% enrollment would place us as a national leader. Lower this assumption for future studies.

Methodology for the new low-income options traffic and revenue analysis (2023)

Note: This research has primarily been developed by the Gabor Debreczeni, WSP, who is a consultant to ODOT on the toll project.

Borrowing from the methodology conducted in the Washington Department of Transportation's [Low-Income Toll Program Study I-405 and SR 167 Express Toll Lanes](#) (see pages 26 – 38), we plan on using a similar approach that includes:

- (1) For the income-threshold of 200% of the Federal Poverty Level, conduct the analysis for a program that would offer monthly credits, free trips, or a discount. The level of discount for the free trips and toll credits options would be set to 100% of the average monthly usage¹. The average monthly usage will be estimated at a high level based on the team's current understanding of corridor usage based on existing data and observations; the result will be a fixed dollar amount and a fixed number of trips, and most steps of the analysis will move forward with those fixed amounts as the inputs.
- (2) For the income threshold of 400% of the Federal Poverty Level, conduct the analysis for a program that would offer an annual credit or number of free trips. The level of discount for the free trips and toll credits options would be set to 10% of the annual average usage. The average annual usage will be estimated at a high level based on the team's current understanding of corridor usage based on existing data and observations; the result will be a fixed dollar amount and a fixed number of trips, and most steps of the analysis will move forward with those fixed amounts as the inputs.
- (3) Conduct analysis assuming enrollment rates that are based off knowledge of current enrollment levels of low-income toll programs nationally and past analysis conducted. For example, the Washington Department of Transportation [study](#) assumed enrollment levels of 10%, 25%, and 50% of eligible users.

¹ That is, as compared to an average user of the toll corridor – so, for example, if the average user of the corridor would be expected to cross an I-205 toll point ten times a month, the benefit would for those with incomes below 200% FPL would be “ten free trips per month”.

(4) Produce analysis results using spreadsheet methodology in combination with regional travel demand model results to estimate the impact of a program at 200% and 400% of the FPL and by discount type. This analysis will consist of three steps:

- a) A pre-processing step will be used to estimate the overall scale of potential trips benefiting from the LITP. This step will consider the number of people eligible for the program and their potential vehicle trips. This estimation applies assumptions for discount program eligibility, enrollment percentage, and the discount program type to estimate the number of potential vehicle trips that could utilize the benefits from the LITP.² The pre-processing spreadsheet translates these discount program assumptions into the input needed for the travel demand model: what percentage of vehicle trips³ need to be moved into new trip tables signifying LITP enrollees, and whether those trips are free, discounted or unaffected.⁴ The pre-processing will also consider how different discount options will impact certain times of day differently (for example, with the credits option incentivizing more off-peak travel, and the free trips options incentivizing more peak travel).⁵
- b) The second step consists of regional travel demand model runs.⁶ The model runs will be used to assess how toll highway usage could change in response to the LITP alternatives⁷. A baseline run will be conducted without the LITP being represented in the model, to serve as the basis of comparison for the runs with various LITP assumptions. Then, the new trip tables representing LITP participant trips will be created, based on the shares of trip tables estimated during the pre-processing step. The model results will be summarized to show the relative difference in gross revenue potential, as well as the toll highway volume/speed differential, for each of I-205 and RMPP.
- c) The third step is a post-processing step to adjust regional travel demand model outputs to account for any effects observed that the regional travel demand model is not fully

² As is typical for regional travel demand models, the Metro model is a trip-based model that considers aggregate travel behavior. It does not carry forward individual user demographics to vehicle trip routing choices. As such, the pre-processing step is necessary to define the “population” of trips that are potentially affected by different LITP scenarios to be evaluated.

³ Vehicle trip tables are further segmented within the regional travel demand model with different Value-of-Time (VOT) assumptions. The VOTs may be classified as low, medium, or high to represent a range of user willingness to pay tolls. The pre-processing step will acknowledge that while LITP participants generally behave with a lower VOT, for some trip types and circumstances their decision-making may exhibit higher VOTs.

⁴ Since the regional travel demand model is set up for an average weekday, program options for monthly credits or a fixed number of free trips (per month) will be translated to a fixed percentage of eligible trips being free and a fixed percentage being full toll.

⁵ During the pre-processing step, a plan will be developed to significantly limit how many unique travel demand model runs are needed to understand the effect of the listed benefit types, income thresholds, and enrollment rates, especially when assessing fairly small differences in scale of benefits or program population.

⁶ All regional model runs will be performed for future year demand in 2045 to best incorporate the long-term impacts of the LITP and align with the adopted Regional Transportation Plan.

⁷ Each model run consists of only the traffic assignment phase (i.e., where users decide their vehicle travel route including selecting toll or non-tolled roadways). Earlier trip demand estimation and mode choice phases of the regional models are omitted in these sensitivity tests, as they are resource intensive and are not expected to significantly impact the results considering the wide bands on variance/uncertainty included in assumptions for LITP enrollment. The post-processing step will take into account a high-level estimate of any expected mode shift as a result of the LITP.

representing or meaningfully differentiating (including adjustments to the revenue and operational impact estimates for any mode shift expected and not modeled in the second step). This will consider ways to estimate impacts without needing further model runs.⁸

- (5) Include the most recent assumptions available for toll rates schedules from the I-205 Toll Project and the Regional Mobility Pricing Project for regional travel demand modeling purposes.⁹ Conduct this analysis primarily for the I-205 Toll Project but identify impacts to system performance and revenue for the overall ODOT Toll Program in the region.
- (6) Combine this analysis with information from the following efforts to understand the full extent of impacts and benefits for Low Income Toll Program options:
 - a) NEPA analysis (e.g., travel costs as a part of household income and other economic assessment measures)
 - b) Traffic and revenue analysis
 - c) Public engagement
 - d) Further knowledge of operational costs to administer the program

Findings of traffic and revenue impacts to I-205 Toll Project and Regional Mobility Pricing Project (RMPP) are identified in Figure 3 and 4.

Explanation of benefit types: free trips, credits, and discounts

All of the benefit types described would be distributed on a **monthly basis**. It would be assumed that amounts would not carry over from one month to the next. For credits and free trips, the benefit amount would be reset to the amount provided at the beginning of the month. For discounts, the benefit would be applied soon after the toll transaction would occur. A monthly reset would not be needed.

For modeling purposes, the free trips benefit was assumed to have the same dollar value as the credit benefit. Where there would be a difference between the two in terms of revenue/transaction impacts is in usage by time of day – we’d expect more usage of the free trips at peak times as compared to credits.

Average usage refers to the expected value of how much the average program user would value the discount they’re receiving, per month.

Enrollment rate research and assumptions

An estimate of how many people are expected to enroll in a tolling equity program is important for financial and operational forecasting, and in understanding whether an individual program is successful in meeting its equity goals and the equity needs of the project. In general, enrollment in benefit programs is not universal – even for the largest and most well-publicized benefit programs like Medicaid or SNAP – and is much lower for tolling equity programs, where enrollment from those eligible is observed to be in

⁸ A return to steps (a) or (b) will be considered if more has been learned or updated on the assumptions of the analysis, the benefit levels, or the income thresholds. The analysis can be iterated if the results cause stakeholders to require adjustments to program parameters.

⁹ The travel demand model runs will assume the LITP applies to both I-205 and RMPP but not the IBR Program. Analysis of impacts/changes to IBR Program are not covered in this analysis although the project is assumed to be in place in future years, consistent with the adopted Regional Transportation Plan.

the low single-digit percentages (Figure 1). This effect creates large errors in estimating future usage and financial impacts, since the uncertainty in eventual enrollment can be orders of magnitude. Furthermore, if a study assumes universal enrollment, it will greatly overestimate the impacts of a tolling equity program.

In terms of benefits' impact on enrollment, the analysis (Figure 1) shows that for each increase of \$10 in monthly benefits, the enrollment rate tends to increase between 0.7% and 3.4%, depending on the other variables included in the model. The analysis assumes an annual eligibility reverification process and a minimum enrollment of 0.5% of those eligible.

We observe a significant negative impact on enrollment rates if the benefit program is a tolling equity program. This is not surprising given the relatively optional nature of tolling – toll-free options are nearly always available, whereas with benefit programs for food or electricity, no alternatives exist for consumption.

The role of eligibility reverification frequency was also analyzed in some of the models. The results indicate an increase in the enrollment rate of approximately 4.9% when reverification is required every two years, as compared to annual reverification. An additional increase of 4.9% in enrollment is projected if eligibility is not reverified beyond the initial verification process.

Lastly, some of the models consider the median household income in the program's geographic area, and they show an increase in enrollment of 2.3% to 3.4% for each \$10,000 increase in median household income in the project area. It seems possible that this effect is because wealthier areas have greater resources to devote to advertising the benefit programs and making them broadly accessible to those who are eligible.

Figure 1. Enrollment Research

Benefit Program	Program Name	Area	State	Monthly Benefit (2023\$)	Enrollment Rate
Tolling	VDOT Toll Relief [Old]	Hampton Roads	VA	\$24	2.8%
	Low-Income Assistance Plan (Metro ExpressLanes)	Los Angeles County	CA	\$3	2.4%
	VDOT Toll Relief [New]	Hampton Roads	VA	\$28	1.2%
	San Mateo 101 Express Lanes Community Transportation Benefits	San Mateo County	CA	\$9	0.7%
Transit	ORCA LIFT	Puget Sound	WA	\$23	50%
	SFMTA Lifeline Pass	San Francisco Area	CA	\$40	45%
	Fair Fares NYC	New York City	NY	\$34	30%
	Low-Income Fare is Easy (LIFE)	Los Angeles County	CA	\$24	13%
	TriMet Honored Citizen Hop Fast Pass	Portland Metro Area	OR	\$36	10%
	LIVE RTD	Denver	CO	\$55	8%
	Metro Transit Transit Assistance Program (TAP)	Minneapolis	MN	\$25	1%
Other	Earned Income Tax Credit	National	All	\$180	79%
	SNAP	National	All	\$152	74%
	Medicaid	National	All	\$585	56%
	Low-Income Home Energy Assistance Program	State of Washington	WA	\$23	36%
	FCC Affordable Connectivity Program	National	All	\$15	25%
	FCC Lifeline	National	All	\$5	19%
	Pacific Power Oregon Low-Income Discount Program	Oregon	OR	\$8	15%

Figure 2. Percentage of Eligible People Enrolling in a Tolling Equity Program Based on Benefit Level

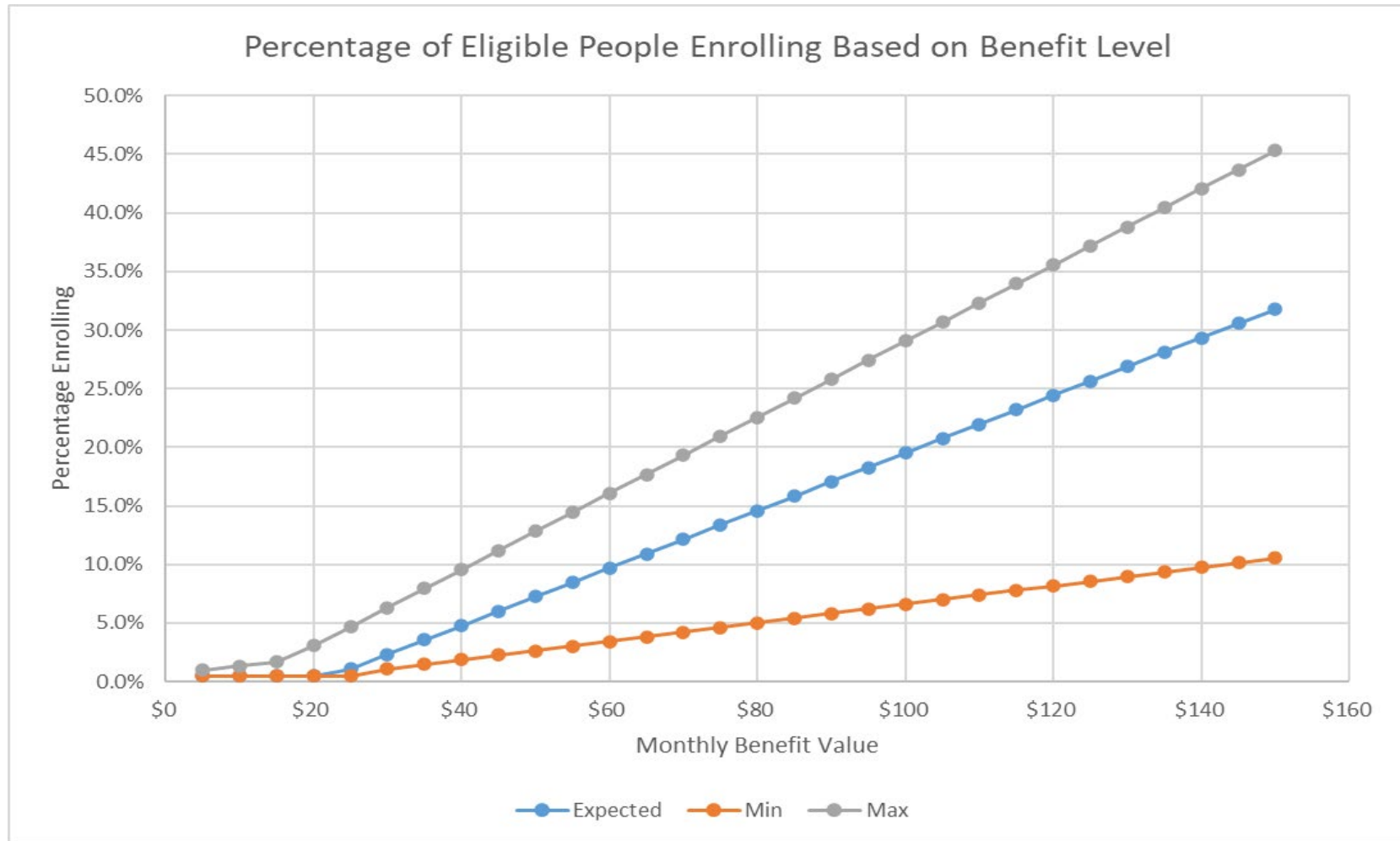


Figure 3. Low-Income Toll Options Analysis: Enrollment Assumptions

LITP Option				Enrollment (People)			Enrollment (Trips)		
#	Facility	Benefit	Amount	Low	Medium	High	Low	Medium	High
1	I-205 only	100% discount, <200% FPL	\$115	8%	23%	34%	19%	42%	54%
2	I-205 only	50% discount, <200% FPL	\$45	2%	6%	11%	6%	15%	25%
3	I-205 only	Average usage \$ credit, <200% FPL	\$45	2%	6%	11%	2%	6%	11%
4	I-205 only	Average usage free trips, <200% FPL	\$45	2%	6%	11%	2%	6%	11%
5	I-205 & RMPP	100% discount, <200% FPL	\$145	10%	31%	44%	23%	49%	62%
6	I-205 & RMPP	50% discount, <200% FPL	\$55	3%	8%	14%	8%	20%	30%
7	I-205 & RMPP	Average usage \$ credit, <200% FPL	\$55	3%	8%	14%	3%	8%	14%
8	I-205 & RMPP	Average usage free trips, <200% FPL	\$55	3%	8%	14%	3%	8%	14%
9	I-205 only	10% average usage \$ credit, <400% FPL	\$5	0.5%	0.5%	1.0%	0.1%	0.1%	0.1%
10	I-205 only	50% average usage \$ credit, <400% FPL	\$20	0.5%	0.5%	3.1%	0.2%	0.2%	1.4%
11	I-205 only	25% discount, <400% FPL	\$25	0.5%	1.1%	4.7%	1.5%	3.4%	12.1%
12	I-205 & RMPP	10% average usage \$ credit, <400% FPL	\$5	0.5%	0.5%	1.0%	0.0%	0.0%	0.1%
13	I-205 & RMPP	50% average usage \$ credit, <400% FPL	\$30	1.1%	2.3%	6.3%	0.6%	1.2%	3.4%
14	I-205 & RMPP	25% discount, <400% FPL	\$30	1.1%	2.3%	6.3%	3.4%	6.7%	15.6%

Figure 4. Low-Income Toll Options Analysis: Revenue and Transaction Impacts

LITP Option				Gross Revenue Impact			Transactions Impact		
#	Facility	Benefit	Amount	Low	Medium	High	Low	Medium	High
1	I-205 only	100% discount, <200% FPL	\$115	-3.1%	-6.9%	-8.9%	2.3%	5.0%	6.4%
2	I-205 only	50% discount, <200% FPL	\$45	-0.2%	-0.6%	-0.9%	0.3%	0.7%	1.2%
3	I-205 only	Average usage \$ credit, <200% FPL	\$45	-0.4%	-1.0%	-1.9%	0.3%	0.7%	1.4%
4	I-205 only	Average usage free trips, <200% FPL	\$45	-0.4%	-1.0%	-1.9%	0.3%	0.7%	1.4%
5	I-205 & RMPP	100% discount, <200% FPL	\$145	-4.2%	-9.0%	-11.3%	2.9%	6.1%	7.6%
6	I-205 & RMPP	50% discount, <200% FPL	\$55	-0.4%	-1.0%	-1.5%	0.3%	0.6%	0.9%
7	I-205 & RMPP	Average usage \$ credit, <200% FPL	\$55	-0.6%	-1.5%	-2.6%	0.4%	1.1%	1.8%
8	I-205 & RMPP	Average usage free trips, <200% FPL	\$55	-0.6%	-1.5%	-2.6%	0.4%	1.1%	1.8%
9	I-205 only	10% average usage \$ credit, <400% FPL	\$5	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
10	I-205 only	50% average usage \$ credit, <400% FPL	\$20	-0.1%	-0.1%	-0.5%	0.0%	0.0%	0.2%
11	I-205 only	25% discount, <400% FPL	\$25	-0.1%	-0.2%	-0.5%	0.0%	0.1%	0.3%
12	I-205 & RMPP	10% average usage \$ credit, <400% FPL	\$5	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
13	I-205 & RMPP	50% average usage \$ credit, <400% FPL	\$30	-0.2%	-0.4%	-1.0%	0.1%	0.2%	0.5%
14	I-205 & RMPP	25% discount, <400% FPL	\$30	-0.1%	-0.3%	-0.7%	0.1%	0.1%	0.3%

Research on Existing Low-Income Toll Programs

Research on [existing low-income toll programs](#) were reviewed and discussed with the Statewide Toll Rules Advisory Committee and Equity and Mobility Advisory Committee at a July 2023 meeting. Takeaways from the research included:

- Low-income toll programs are relatively new to the industry.
- 200% of the Federal Poverty Level, or an income-threshold that allows for existing service providers to verify income is a common practice.
- Enrollment in programs is historically and currently very low.

Geographic extent of existing low-income toll programs

Facility	Geographic extent of program
San Mateo 101 Express (San Francisco, CA)	San Mateo County residents
Elizabeth River Bridge Crossings (Hampton Roads, VA)	Hampton Roads region residents (recently expanded, previously limited to a few local cities)
I-10/I-110 Express Lanes (Los Angeles, CA)	Los Angeles County resident
Central 70 Express Lane (Denver, CO)	Globeville and Elyria-Swansea neighborhood residents

Low-Income Toll Program: Self-Certification Research

Date: September 8, 2023

ODOT is committed to having a low-income toll program when it begins tolling, which will be the first of its kind in the country. The earliest tolling would start in 2026. Leading up to then, we are working on the details of how to operate an easy-to-use and accessible program for customers. We heard feedback from community members last year that one way to do this is through “self-certification.” Self-certification means applicants provide their own proof of eligibility without external verification.

A key step identified in the [Low-Income Toll Report](#) was to understand potential risks, benefits and impacts of self-certification. This memo reviews key takeaways from our research of existing programs and economic assessment. The results will inform project staff and the Equity and Mobility Advisory Committee and the Statewide Rulemaking Advisory Committee as members advise on the development of the Low-Income Toll Program.

Takeaways from Research and Interviews

We used several research methods to understand the risks, benefits and impacts of self-certification. This included reviewing existing service programs that have a self-certification option for income verification, interviews with administering staff (LA Metro, Eau Claire Transit, Pacific Power, San Mateo Express, Oregon Housing and Community Services, Oregon Department of Environmental Quality, and Oregon Department of Human Services, and Washington State Housing Finance Commission), and feedback from WSP economists.

Here are key takeaways we identified through our research (additional detail is available on page 2):

- 1. Programs that include self-certification use it as a first step to get people enrolled, but they do require documentation later on to verify and maintain the benefit.** We heard stories about how self-certification helps meet needs of workers who get paid in cash and may need time to gather the correct paperwork, or people who are under a time crunch at the end of the month to pay essential bills. LA Metro staff said that self-certification was an essential action in aiding their efforts to increase enrollment after years of struggle.
- 2. Fraud has been minimal, and all programs had practices to address potential fraud.** All the self-certification programs came with an advisory statement on the form that notifies the applicants that the administering agency may audit or require documentation to verify. The Oregon and Washington housing agencies have an extensive history of auditing and reported extremely low levels of fraud. Once fraud was identified, people were removed from the benefit program. Examples of other practices included: automatic audit of self-certification customers after a certain benefit level is reached or a limited duration of benefit until verification is required.

- 3. Even when self-certification is offered, customers will provide documentation to verify their income or eligibility.** For example, LA Metro's current mix is about 70% income-verification and 30% self-certification. Feedback from the administering staff is that customers prefer the certainty of providing documentation.

Potential Risks and Benefits

We looked at how self-certification would affect administrative costs, participation in a low-income program, level of effort for agency oversight, and risks of fraud.

Administrative costs and participation

Research suggest that income certification and fraud control methods both incur administrative costs and contribute to low participation in public benefit programs.¹ 59% of administrative costs in the Food Stamp Program are due to certification costs. These costs are defined as the "initial determination of eligibility, calculation of benefit amounts, and re-certification of households".² An additional 5% of administrative costs is attributed to fraud control. This includes case record review, recipient interviews, and third-party information. However, this analysis did not explore the relationship between effort expenditure and error reduction rates.³

Overall, research on the administrative costs of income certification and fraud prevention is somewhat limited, possibly in part due to minimal federal requirements to estimate improper payments.⁴

Oversight

For programs that do allow income self-certification, it is common to conduct periodic oversight. As mentioned above, this includes random selection verification (Pacific Power Oregon). Random selection or periodic auditing involves verifying income for a proportion of overall participants to identify discrete cases of misuse and estimate the prevalence of misuse more broadly. An advantage of this approach is that the administrative costs are likely lower than the cost of verifying income for every applicant.

Example: The Los Angeles Metro Low-Income Fare is Easy (LIFE) program anticipates auditing self-certified participants in the next fiscal year. While representatives indicated that processing self-certification applications is far faster than verifying income (and therefore likely less costly), having a greater number of self-certified participants does raise costs associated with auditing, because there is a bigger pool to pull from.

Risk of Fraud

Benefit programs in general, and particularly programs with self-certification, commonly generate discussion and concerns about the possibilities of fraud or misuse. There is a difference between fraud

¹ https://pdxscholar.library.pdx.edu/cgi/viewcontent.cgi?article=1008&context=ncpp_pub;%20;https://www.commonwealthfund.org/sites/default/files/documents/___media_files_publications_fund_report_2009_may_1266_summer_increasing_particip_benefit_progs_v3.pdf

² <https://www.ers.usda.gov/webdocs/publications/86030/ccr-15.pdf?v=0>

³ <https://www.ers.usda.gov/webdocs/publications/86030/ccr-15.pdf?v=0>

⁴ <https://www.gao.gov/products/gao-06-347>

and misrepresentation. Misrepresentation generally occurs when qualifying for a benefit; fraud generally occurs after it is granted. Key findings include:

- Public benefit fraud in programs like the Supplemental Nutrition Assistance Program⁵ is infrequent. A nationwide study found that approximately 1 in 750 SNAP enrollees has been expelled from the program for fraud⁶.
- Proposed low-income toll program features further limit the potential for fraud. Features minimize risk because the benefits cannot be cashed out, the use of the benefit is limited, and benefits are administered on a small scale.
- Additional strategies to reduce or prevent fraud may be costly and negatively affect program enrollment.⁷ Administering a program without self-certification may be more costly than potential losses from fraud, in part due to the need to process and manage personal data. A way to mitigate this cost would be to not capture and store any personal data, but to have documents presented and note on the form the type of document presented, as well as its eligibility date/expiration date.

Financing Considerations

It appears, at least externally, that bond issuers don't really think about transit user fraud in low-income programs when considering transit agency risk. This may be in part because transit bonds are typically back by tax revenues rather than fare revenues that are impacted by low-income toll programs; on the other hand, toll bonds would be backed by toll revenues that could be impacted by the low-income toll program and self-certification.

The following summarizes our findings from low-income transit programs:

- **Low-income and self-certification programs were not mentioned as part of a recent upgrade of the Illinois Regional Transportation Authority sales tax bonds.** Moody's, as the bond issuer, didn't note this in its explanation for upgrading and downgrading.
- **LA Metro received a good rating with an identified self-certification process for low-income programs.** Fitch gives their bonds an AA+ and a stable forecast. There is no mention of the low-income program specifically, but just mentions "exposure to operations risk" as a general consideration for all transit agencies and specifies that this exposure to operations risk means that the rating is capped at the Issuer Default Rating (IDR). An increase of exposure to operations risk is not considered when re-evaluating the bond rating.
- **Risks mentioned for bonds are not due to low-income programs.** Fitch mentions that COVID ridership numbers pose a risk for NY MTA bonds, but doesn't mention low-income programs, similar

⁵ <https://www.fns.usda.gov/snap/integrity/fraud-FNS-fighting>

⁶ <https://sgp.fas.org/crs/misc/R45147.pdf>

⁷ <https://digitalcommons.usf.edu/cgi/viewcontent.cgi?article=1663&context=jpt>;
<https://www.gao.gov/assets/gao-15-593sp.pdf>

to [Moody's evaluation](#) of NY MTA. Similarly, Moody's mentioned a risk of a downgrade of [CA transit agencies](#), but this was only because there was a potential loss of federal grants.

The lack of potential fraud mentioned in these low-income program evaluations is most likely due to any risk that is associated with self-certification is so small compared to the entire transit agency budget, that it doesn't pose any real threat towards a downgrade, and could in fact improve it as many of the bond issuers discuss ridership levels post COVID-19 pandemic are an important factor in evaluating how well the transit agencies are doing financially.

Toll agencies typically issue non-recourse debt, which means no backstop by a regional or state government. Agencies with non-recourse financing could default on bonds and that is a risk that is considered by the rating agencies.

Overall, without knowing the details of the indenture, it is impossible to know exactly what rating agencies think. Assuming those transit credits are backed by a specific tax base (i.e. sales taxes, property taxes, etc.), it is likely that self-certification and fraud are less of a concern, given that revenues pledged to repay the bonds are not necessarily dependent on ridership, but rather taxes, whose payers are essentially captive customers (i.e. someone can choose not to ride transit, but you cannot really choose not to pay property taxes). All assumptions right now point to a stand-alone revenue credit for our toll program. Meaning there's no pledge of other tax revenues (i.e. fuel taxes, DMV fees, etc.). From a ratings standpoint, this would likely mean that fraud would be a relatively higher concern, given that our customers aren't necessarily captive. The overall customer base/revenue stream may be "weaker," thus making it more susceptible to impacts from fraud.

Existing Self-Certification Programs

Many agencies administer programs with varying degrees of self-certification for low-income members of the community. For the following programs, many do not specify that they use self-certification, but rather they just require users to fill out a form with no supplementary information:

- **Los Angeles Metro** has a Low-Income Fare is Easy (LIFE) Program, which offers discounts on weekly or monthly passes or 20 free rides on Metro or any participating transit agencies. When signing up, users get a free 90-day bus fare pass. After the pass expires, users can load their discounted fare onto their regular Metro card. LA Metro provides users the option to self-certify, but also to provide proof of any sort of public benefit "if you would like."
- **City of Madison Wisconsin Metro** has a [reduced transit fare pass](#) with customers filling out a self-certification form to state if they are eligible (income is at or below 150% of the Federal Poverty Level). The reduced fare permit lasts for six months. These passes must be purchased in person, are at a "limited supply" and are a "first-come first serve basis."
- **Pacific Power Oregon** also has a [Low-Income Discount Program](#) that is mostly self-certified, except it states on the form that it will "randomly select" enrolled customers to provide post-enrollment verification to continue receiving the discount. They also state that they might require post-enrollment verification if they feel the program is being overused. Re-enrollment is required every two years, but customers that receive LIHEAP or OEAP within 12 months of re-certification will automatically be re-enrolled every two years.

- **Eau Claire Wisconsin Transit** also has a self-certification process for income-qualifying fare, for people 185% below the federal poverty level. The process involves customers completing a form that says they are low income and is, not advertised as a self-certification process. The program has annual re-verification.
- **Lincoln Nebraska StarTran** completes their verification through self-certification and only require a Photo ID and birthdate with no proof of income level required. The pass must be repurchased every 31 days with the same photo ID and previous pass (customers who don't have a previous pass can request a new one with a photo ID and birthdate) and people who have up to 200% of the federal poverty level qualify. The program is not advertised as self-certifying.
- **New York City's Fair Fare's Program** also has a process that allows for self-certification. Technically, the program allows for people to self-certify for a 50% discounted Metro Card, but it is a last resort option of certification (presented as, "if none of the above are available"), and asks for a letter from customers, signed and dated, with information on their gross income for the last 30 days. Not advertised as a self-certifying process and is only available to people that are at the federal poverty level.
- **Washington State Housing Finance Commission** allows for a self-certification process for low-income housing benefits only in the third year of credit and customers must verify income with a third-party verification system after the first year. The self-certification of income form can be found here. They put into place self-certification for tax credit property owners to accept self-certification from households, but it expired on March of 2021 (according to the order that was placed). The Self Certification form is also used by several other Washington state public funders for purposes of fulfilling their recertification requirements (according to WSHFC). They do not specify which organizations use their self-certification forms as well.
- **The El Paso Electric's Low Income Smart Charging Program** allows for self-certification for income eligibility to be a part of the rebate for purchase and installation of a qualifying networked/smart Level 2 EV charging station. The rebate can be up to \$2,300. This form allows the option of either self-certifying that users are a part of a low-income assistance program, or self-certifying that their income is at or below 200% of HHS poverty guidelines, with a required signature certifying the applicant understands that they may be subject to an audit based on the information they provided.
- **The Illinois Housing Development Authority** has a Low Income Housing Tax Credit that allows for self-certification as a final option if no other program verification is accepted. The applicant also must have documented evidence of trying and failing to gain access to program verification. If self-certifying, the applicant also can't gain access to some specific programs as they don't allow self-certification. If a tenant's assets are worth less than \$5,000, they are allowed to self-certify about their assets, too. There are also specific programs such as the HOME program where the first year is certified, year 2 to year 5 is self-certified, and year six income verification must be certified.

Agency Name	Facility Type	Program Features	Income Requirements	Proof of Income	Enrollment Method
Los Angeles Metro	Highway Toll/Mass Transit Fare	50% fare discount to weekly or monthly ride passes, 90-day free bus pass	200% FPL or below	Able to provide verification via programs, can also self-certify	Online or In-Person
Metro Transit of Madison, Wisconsin	Mass Transit Fare	50+% fare discount to 31-day pass	150% FPL or below	Self-Certification form	In-Person
Pacific Power Oregon	Power Company	20 or 40% discount on bill	0-20% state median income (40%), 20%-60% state median income (20%)	Low Income Discount Program Form, randomized audits	Online or In-Person
Eau Claire, Wisconsin	Mass Transit Fare	Income-Qualifying Fare Permit Card, 50% discount for every ride	185% FPL	Income-Qualifying Fare Verification Form	In-Person
Lincoln Nebraska StarTran	Mass Transit Fare	31 Consecutive Day Pass for 50% discount	200% FPL	N/A	In-Person
New York City	Mass Transit Fare	50% discounted Metro Card on subway and bus fare, and MTA Access-A-Ride trips	100% FPL	Bank Statements, Pay Stubs, Unemployment Insurance Benefits, Letter stating income	Online or In-Person (unclear if self-certification letter is available online)
Washington State House Financing Commission	Housing Agency	Subsidized Housing for Low-Income individuals, 9% tax credit to developers	30% at or below local area median income	Verification allowed by HUD, after 3rd year Self-Certifying form	In-Person
El Paso Electric	Power Company	Tax rebate and purchase of EV Charging Station	200% FPL	LIHEAP, Food Stamp, SNAP Enrollment, or Self-Certification of Assets	Not Listed
Illinois Housing Development Authority	Housing Agency	Subsidized Housing for Low-Income individuals, rent must not exceed 30% of individual's income	At or below 60% of area's median income	Third-Party Verification, if not available, signed affidavit or notarized statement, self-certification of all assets if below \$5,000	Not Listed

Draft Toll Rules

Statewide Toll Advisory Committee (STRAC) September 2023 Meeting Materials

Date Updated: September 15, 2023

Blue highlighted = state law

TOLL DISCOUNTS AND EXEMPTIONS

731-040-0080

Exempt Vehicles

- (1) Except as provided herein, all vehicles using a toll facility must pay the required toll. Only qualified vehicles may be exempted from paying tolls.
- (2) An exempted vehicle should connect directly to the needs for operation, maintenance, safety, and/or person-carrying capacity of the tolled roadway or for emergency response. Exempted vehicle types will be reviewed annual as a part of the toll rate monitoring and adjustment process, as is identified in OAR 731-040-0060 and 731-040-0061.
- (3) The registered owner and operator of the qualified vehicle must comply with the requirements of the Department to obtain the exemption.
- (4) To receive the exemption, the eligible vehicle must be connected to a registered toll account with the Department.
- (5) Eligibility status would be verified through one of the following:
 - a. Vehicle registration or classification information already held by the Department; or
 - b. Information as deemed acceptable by the Department that identifies the vehicle or registered vehicle owner as qualified.
- (6) There is a limit of three (3) vehicles that can be associated with an exempt individual member account.
- (7) There is no limit on the number of vehicles that can be associated with accounts that are covering a fleet of vehicles.
- (8) The following types of vehicles or users may receive an exempt toll account:

- a. Bus (defined as 15 people or more) and paratransit, as defined in [49 CFR 37.3 Definitions](#);
- b. Active military vehicles and personnel who meet the requirements of [ORS 399.145](#);
- c. Authorized, emergency response vehicles, such as police, fire, and ambulance services; and
- d. Highway and transit operating and maintenance vehicles, as authorized by the Department.

(9) The Department will review these accounts on an annual basis and may require updated documentation from the customer to maintain the exemption.

731-040-0081

Discounts Based on Income

- (1) The Department will offer discounted tolls for those with qualifying incomes. Discounts will be removed, included, or revised as part of the toll rate adjustment process as described in OAR 731-040-0060 and 731-040-0061.
- (2) To receive the discount, the eligible account holder must connect their vehicle to a registered toll account with the Department.
- (3) To qualify for the toll discount, the registered vehicle owner must have verifiable income that is equal to or below 200% of the Federal Poverty Level for the vehicle owner's household size.
- (4) When registering for an account, the registered vehicle owner will provide documentation to determine eligibility status and would be verified through one of the following:
 - a. Verification of enrollment in an existing Oregon public social services program, as identified in the [Oregon ONE Eligibility](#);
 - b. Information required by the Department to verify income-level;
- (5) There is a limit of three (3) vehicles that can be associated with an individual member account.
- (6) A person who qualifies for a discount must reapply for qualification each year, calculated from the person's previous qualification date.

PREVIOUSLY REVIEWED – MAY 2023

Department of Transportation
Chapter 731
Division 40
TOLLWAY PROJECTS

DEFINITIONS

731-040-0020

Definitions

As used in these [OAR 731, division 40](#), rules:

- (1) “Commission” means the Oregon Transportation Commission.
- (2) “Department” or “ODOT” means the Oregon Department of Transportation has the meaning given in [ORS 383.003](#).
- (3) “Director” means the Director of the Oregon Department of Transportation, or the person designated by the Director.
- (4) “Electronic toll collection system” has the meaning given in [ORS 383.003](#).
- (5) “Interstate bridge” means a bridge over a waterway that contains a boundary line with another state and the line.
- (6) “Invoice” or “Toll Invoice” means an invoice for toll payments not yet collected by an electronic toll collection system or other payment system.
- (7) “Interoperability” commonly refers to an agreement with another organization to exchange charges and payments about known customers.
- (8) “Private entity” has the meaning given in [ORS 383.003](#).
- (9) “Related facility” has the meaning given in [ORS 383.003](#).
- (10) “Registered account” is an account created by the tollway user.
- (11) “Toll” has the meaning given in [ORS 383.003](#).
- (12) “Toll gantry” is the structure over the roadway on which electronic toll equipment is mounted. The physical location of the toll gantry is called a “Toll Zone.” The terms are used interchangeably.

- (13) “Toll Program Fund” means the fund described in [ORS 383.009](#).
- (14) “Toll rate” means an amount charged for the use of a tollway.
- (15) “Tollway” has the meaning given in [ORS 383.003](#).
- (16) “Tollway operator” has the meaning given in [ORS 383.003](#).
- (17) “Tollway project” has the meaning given in [ORS 383.003](#).
- (18) “Tollway project revenue bonds” has the meaning given in [ORS 383.003](#).
- (19) “Tollway user” means the operator of the vehicle or registered owner of a vehicle at the time of the use of the tollway.
- ~~(20)~~ “Transponder” is a type of vehicle identification device. It can be attached or embedded device containing a radio frequency identification (RFID) used to identify the vehicle as it passes under a toll gantry, for the purpose of assessing a toll and posting the toll to an account connected to the vehicle.
- (21) “Unit of government” has the meaning given in [ORS 383.003](#).
- (22) “Unregistered account” is an account created by the Department for vehicles identified on the tollway system but without a pre-established toll account.
- (23) “Variable rate toll” means any charge for the use of a tollway where toll rates vary, according to a published schedule.
- (24) “Vehicle identification device” means any ODOT approved device or in-vehicle technology that supports electronic payment of tolls. This may include radio frequency identification (RFID) toll transponders, connected-vehicle technologies and applications, future cell phone or GPS technologies, or other future devices.

Statutory/Other Authority: ORS [184.619](#), [383.003](#), [383.004](#), [383.014](#) & [383.015](#)

Statutes/Other Implemented: [ORS 383.003](#) & [383.004](#)

History:

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

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

TOLL COLLECTION AND ACCOUNTS

731-040-####

Toll Accounts and Toll Payment

- (1) A user of the tollway system must pay a toll, as set out in [OAR 731, division 40](#). Exceptions to the requirement for paying a toll, if any, are described in these OAR 731, division 40, rules, under each rule establishing the toll rate for a specific tollway.
- (2) A tollway user may pay a toll, fee or fine to the Department, or its contractors or agents, using a method including but not limited to:
 - a) Credit or debit card,
 - b) Cash,
 - c) Bank or Guaranteed Draft,
 - d) Check, or
 - e) Online payment systems, as technology and systems are established.
- (3) All payments to the Department shall be in United States funds.
- (4) A tollway user may establish a toll account with the department to pay a toll.
- (5) The Department may create an unregistered toll account when a toll gantry detects a vehicle and license plate that is not associated with a valid ODOT or interoperable partner toll account.
- (6) The Department will create a valid account prior to issuance of a transponder or vehicle reporting device to be associated with that account.
- (7) The Department shall accept payment of tolls with valid toll accounts of interoperable toll operators, as per agreements between the Department and the interoperable toll operators.
- (8) The Department may look up registered owners of any detected license plate from any United States jurisdiction, and in any Canadian Province or Mexican state in which the department is able and permitted to perform a search for a registered owner.

ADMINISTRATIVE FEE, CIVIL PENALTY, & CUSTOMER DATA

731-040-####

Administrative fees

- (1) The Department may enforce the payment of a toll by one or more of the following, per [ORS 383.035](#):
 - a. Imposing an administrative fee;
 - b. Imposing a civil penalty;
 - c. Suspension of vehicle license registration renewals; or
 - d. Pursuing unpaid amounts through a collection process either internally or by assigning them to a collection agency.

- (2) The Department will apply an administrative fee, consisting of one or more of the following:

Mailed Statement Fee	\$2.00 per mailed statement
Returned Check/Automated Clearing House (ACH) Rejection Fee	\$35.00
Invoice Fee	\$5.00 per invoice

- (3) The civil penalty and administrative fees established by the tollway operator will not exceed the actual cost of collecting the unpaid toll, per [ORS 383.035\(2\)](#).

- (4) The Department may charge a fee for a vehicle travelling on a tollway without a toll account.

Payment process

- (5) Tollway users will receive notifications from the Department of outstanding account debts and will be provided options for resolution as outlined in OAR 731-040-####. The Department may choose not to apply the administrative fee if the tollway user pays toll account debts within a time deemed acceptable by the Department.
- (6) The Department will hold the registered owner of vehicle as the responsible party for all tolls on unregistered accounts.
- (7) Evidence from the electronic toll collection system will follow requirements established in [ORS 383.045](#).
- (8) If toll transactions remain unpaid for up to 30 days from the initial transaction, the Department may issue an invoice to the owner of record. The invoice would include all transactions posted to the unregistered account. The owner of record will be notified that they have 30 days to pay. Invoices will include the tolls due based on detection date, time and location, and any additional fees.
- (9) If the toll account contains unpaid toll transactions after an issued invoice, the Department may issue a second invoice. The second invoice may include any additional transactions that occurred. The vehicle owner of record will be notified that they have to pay. They will be notified that if payment is not received, then their account may be placed in delinquent status.
- (10) If the toll account contains unpaid toll transactions from the second invoice, the Department may choose to place an account in delinquent status. The Department would then pursue a process that would include one or a combination of the following actions:
- Pursuing unpaid toll transactions and/or fees through the Department's collection process;
 - Issuing a Notice of Civil Penalty;
 - [Suspension of vehicle license registration renewals, per \[ORS 383.035\\(4\\)\]\(#\)](#); and

- d. Pursuing unpaid toll transactions and/or fees through a collection process by referring them to the Department of Revenue or assigning it to a collection agency.
- (11) In pursuit of resolution with the tollway user the Department may choose to defer putting an account into delinquency status for reasons that include, but are not limited to:
- a. The current number and cost of unpaid tolls or fees;
 - b. Factors in determining the calculation of collecting the unpaid toll transaction versus the cost to administer, per [ORS 383.035\(2\)](#);
 - c. Enrollment in the low-income toll program or financial hardship; or
 - d. Other hardship reasons, such as a medical emergency, bereavement, military service, etc.

Civil Penalty process

- (12) A tollway user who receives a Notice of Proposed Civil Penalty is entitled to a contested case hearing as provided in the Oregon Administrative Procedures Act, [ORS 183.413 to 183.470](#), [183.745](#), and [OAR 137-003-0501 to 137-003-0700](#).
- (13) A tollway user who has received a Notice of Proposed Civil Penalty must submit a written request by email or mail for a contested case hearing to the Department.
- (14) The Civil Penalty will be \$50.00 per unpaid toll invoice.
- (15) If the Department does not receive a timely request for a contested case hearing, the tollway user will have defaulted and waived the right to a hearing, except for good cause as provided in [OAR 137-003-0528](#). The Department's file constitutes the record of the case.
- (16) The Department's desire is to identify and come to a resolution with the tollway user for toll account debts. Resolution could include:
- a. The Department may remit or reduce the amount of the civil penalty as part of settlement discussions, per [ORS 383.035\(3\)](#).
 - b. The Department may, in accordance with [ORS 183.417](#), make an informal disposition of any contested case prior to the conclusion of any hearing resulting from a civil penalty imposed under [ORS 383.035](#). This disposition may include a stipulation, agreed settlement, consent order or default order.
 - c. An informal disposition by stipulation, agreed settlement or consent order must be in writing, signed by the party or parties to the contested case and incorporated into the final order.
- (17) An administrative law judge is authorized to issue a proposed order in a contested case hearing for failure to pay a toll. The administrative law judge presiding at a contested case hearing is not authorized to eliminate or reduce the

amount of a civil penalty imposed by the department for failure to pay tolls, per [ORS 383.035](#).

- (18) Once the Civil Penalty is finalized, the Department shall issue a suspension of vehicle registration renewals, per [ORS 383.035](#), and will pursue unpaid amounts through a collection process either internally or by assigning them to a collection agency.
- (19) The vehicle registration hold will be removed when all outstanding balances are paid or ownership changes.

Dispute process

- (20) Customers can dispute toll transactions and fees. The Department will document all dispute actions taken as part of the account record and make them available through the customer service user interface.
- (21) Dispute requests should identify the transaction(s) time, date, and vehicle plate in dispute and provide written rationale for why the transaction is being disputed.
- (22) The Department will receive, document, and review the dispute within approximately 45 days, depending on the scale and complexity of the dispute. The resolution may include the following:
- a. Rejecting the dispute and continuing the enforcement process;
 - b. Accepting the dispute and removing the debt; or
 - c. Coming to resolution on the debt with the customer for payment.
- (23) Invoices that are in dispute waiting for a decision will have their escalation process paused. If the dispute is rejected, the invoice escalation period resumes, adjusting for the review time.

Customer data

- (24) Driver records and information used to collect and enforce tolls will follow the requirements specified in [ORS 383.075](#).
- (25) Information collected or maintained by a photo enforcement system may not be disclosed to anyone except those identified in [ORS 383.075](#).
- (26) The Department may charge a reasonable fee under [ORS 192.324](#) (Copies or inspection of public records) for providing information under this section.
- (27) A person or unit of government requesting information must meet the conditions identified in [ORS 383.075](#).
- (28) Sensitive business, commercial or financial information presented to the Department by a private entity for the purpose of determining the feasibility of the

entity's participation in a tollway project is exempt from disclosure under ORS 192.311, per [ORS 383.025](#).

Statutory/Other Authority: ORS 184.616, [184.619](#), 802.010, 383.035 & 383.055

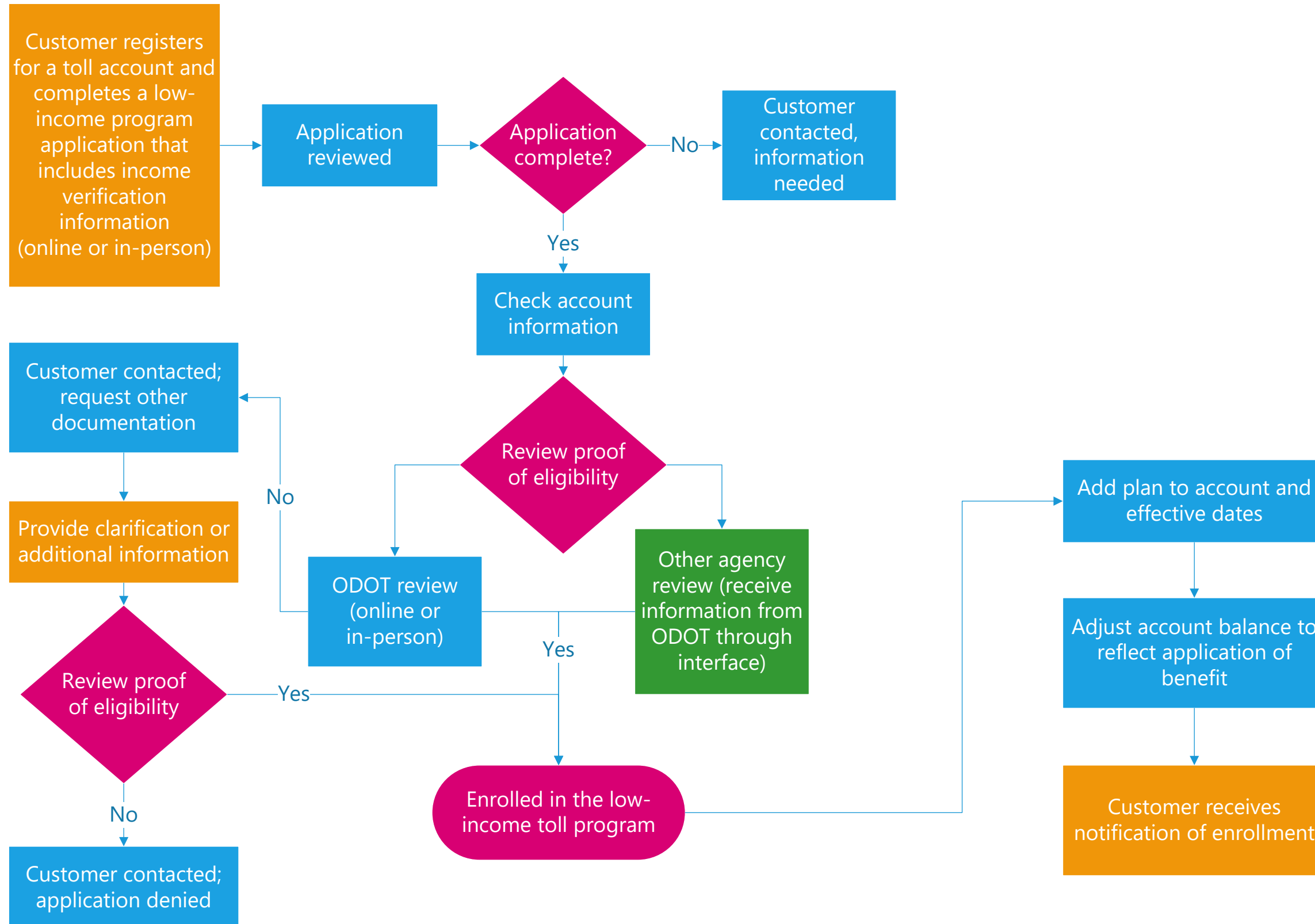
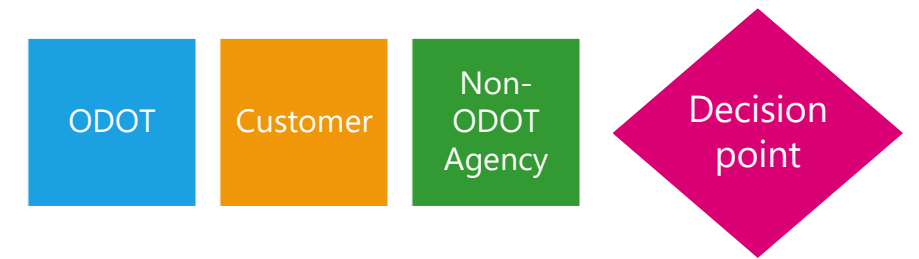
Statutes/Other Implemented: ORS 383.035 & 383.055

History:

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

DRAFT

ODOT Low-Income Toll Program: Enrollment Process

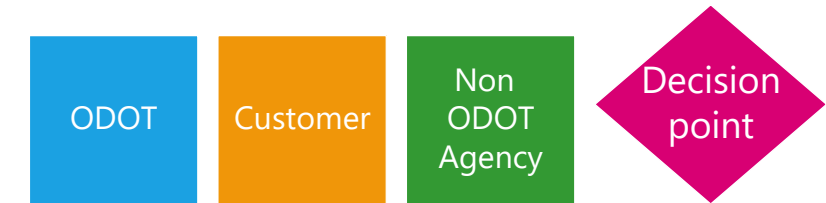


Note: This information identifies our August 2023 thinking for toll operations. It is provided to spur discussion and input to enhance our work. Changes will be made between now and when tolling begins as toll rules are established and more is learned through the implementation process. We are planning to make a toll operations system that is scalable and evolves to lessons learned along the way.

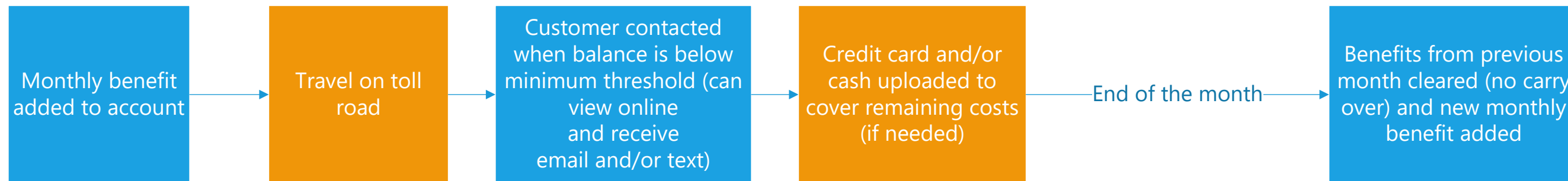
Date updated: September 8, 2023



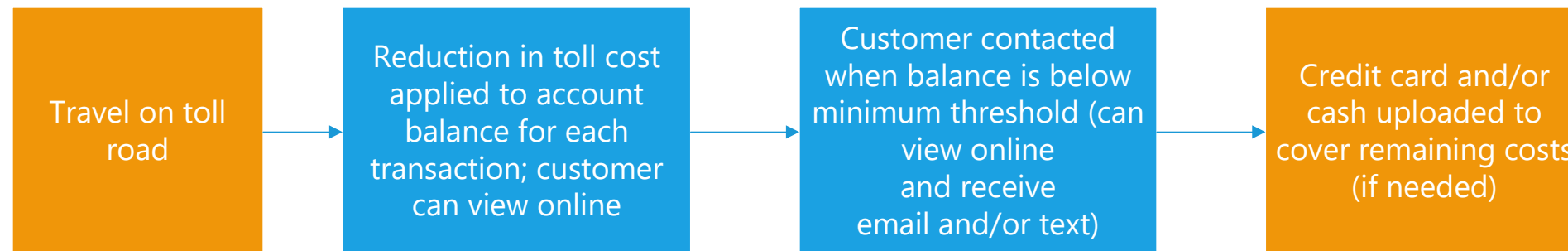
ODOT Low-Income Toll Program: Benefit Distribution



Option 1. Free trips (monthly) / Option 2. Credits (monthly)



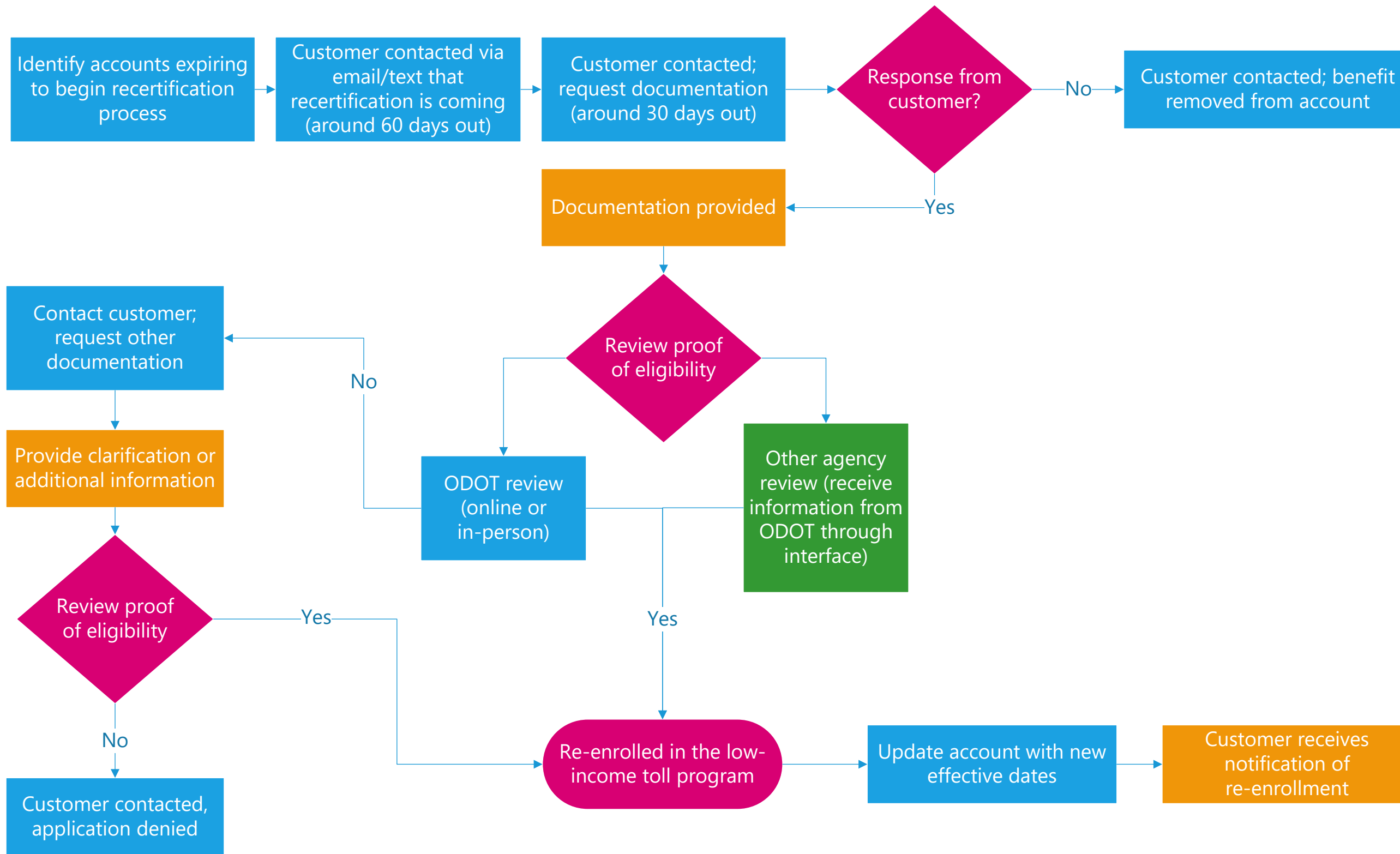
Option 3. Percentage discount (per transaction)



Note: This information identifies our August 2023 thinking for toll operations. It is provided to spur discussion and input to enhance our work. Changes will be made between now and when tolling begins as toll rules are established and more is learned through the implementation process. We are planning to make a toll operations system that is scalable and evolves to lessons learned along the way.

ODOT Low-Income Toll Program: Recertification Process

ODOT
Customer
Non-ODOT Agency
Decision point



Note: This information identifies our August 2023 thinking for toll operations. It is provided to spur discussion and input to enhance our work. Changes will be made between now and when tolling begins as toll rules are established and more is learned through the implementation process. We are planning to make a toll operations system that is scalable and evolves to lessons learned along the way.

Date updated: September 8, 2023



Equity and Mobility Advisory Committee (EMAC) 2022 – 2025 Work Plan

EMAC’s Purpose

Turning Oregon Transportation Commission (OTC) and EMAC recommendations into commitments for sustainable, accountable equity processes and outcomes with the Oregon Toll Program.

EMAC’s Mission

EMAC was charged by the OTC to advise the OTC and ODOT in making decisions for equitable matters in connection with the Regional Mobility Pricing Project (RMPP) and I-205 Toll Project, which includes:

- Addressing impacts on neighborhood health and safety from potential traffic diversion
- Increasing access to transit and multimodal alternatives
- Addressing impacts to people experiencing low incomes
- Supporting equitable engagement and the process of decision-making

EMAC Workflow Process

Following the iterative steps of the Oregon Toll Program’s Equity Framework, the committee process includes a process of reviewing information, discussion, and recommendation development. These actions occur in multiple meeting cycles. All tasks do not result in formal published recommendations, as some recommendations are provided as comments made directly to toll project team members during meetings.



EMAC’s Foundational Statements and Recommendations to the OTC for Shaping an Equitable Toll Program

EMAC presented “Recommendations for Shaping an Equitable Toll Program” to the OTC in July 2022. The report included Foundational Statements that serve as building blocks for the EMAC recommendations to inform commitments from ODOT and the OTC to advance equity through the Oregon Toll Program. To provide high-level consensus, the following Foundational Statements were developed by EMAC, in partnership with ODOT staff and unanimously supported by the OTC at their November 18, 2021, meeting:

FOUNDATIONAL STATEMENTS

1. Provide enough investment to ensure that reliable, emissions-reducing, and a competitive range of transportation options (bike, walk, bus, carpool, vanpool, etc.) are provided to advance climate, safety, and mobility goals, and prioritize benefits to Equity Framework communities.

2. Climate and equity needs are connected, and solutions must be developed to address both at the same time. Further work needs to be done to support both congestion management and vehicle miles traveled (VMT) reduction with an emphasis on increasing functional alternatives to driving, while not increasing diversion nor heavily impacting low-income car-dependent people.
3. There must be toll-free travel options available to avoid further burdening people experiencing low incomes who are struggling to meet basic needs (food, shelter, clothing, healthcare).
4. To the greatest degree possible, investments that are necessary to advance equity must be delivered at the same time as highway investments and be in place on day 1 of tolling or before. Additional work needs to be completed to identify these investments.
5. Tolling must be a user-friendly system that is clear and easy to use by people of all backgrounds and abilities, including linguistic diversity, and those without internet access.
6. Equitable benefits that are offered in Oregon must extend into Southwest Washington.
7. Although the toll projects will have a statewide impact, they must be developed in coordination with regional partners to build an equitable and successful transportation system, together.

EMAC'S RECOMMENDATIONS

EMAC's Recommendations for "Shaping an Equitable Toll Program" also included several recommended actions to shape ODOT's strategic direction for developing the Oregon Toll Program. These recommendations build from and connect to the Foundational Statements. These recommendations were officially adopted by the OTC in July 2022:

1. Recommended Action #1 (connects to Foundational Statements 1, 2, 3, and 7): The following goals should guide ODOT's decisions on tolling related to congestion management, including design, setting rates, monitoring, and adjusting tolls, with an emphasis on avoiding disproportionate burdens and focusing on benefits among Equity Framework communities:
 - Price the system to maximize efficiency of the toll corridors, emphasizing moving as many people as possible in the existing lanes, coupled with robust investments by ODOT and regional partners in reliable, emissions-reducing, and a competitive range of transportation options (bike, walk, bus, carpool, vanpool, etc.) to advance climate, safety, and mobility.
 - Limit freight and longer-trips diverting into local communities.
 - Improve access to jobs, healthcare services, education, recreation, and natural spaces.
 - Improve air quality and reduce Greenhouse Gas (GHG) emissions.
 - Reduce vehicle miles traveled (VMT) per capita.
 - Increase mode shift from single-occupancy vehicles to higher-occupancy vehicles or transit.
 - Price the system so that lower-income households pay a lower percentage of household income than middle and upper-income households pay.
2. Recommended Action #2 (connects to Foundation Statement 1, 2, 3, and 7): For the approach to revenue generation, the Oregon Transportation Commission should pursue the following strategy:
 - Prioritize providing a substantial contribution to the low-income program (e.g. discounts, credits, or exemptions) to address affordability impacts for those with the least ability to pay.

- Select a rate schedule that emphasizes demand management and equity advancement.
 - Maintain the lowest possible toll rates for everyone while generating sufficient revenue for Oregon Legislature-identified multi-modal capital investments and project mitigations (including for the low-income program).
3. Recommended Action #3 (connects to Foundational Statements 1, 4, and 7): Identify and commit to a plan for increasing the percentage of dollars spent on Disadvantaged Business Enterprises, Minority Business Enterprises, and Women Business Enterprises that are awarded contracts for designing, building, and operating the toll system and projects supported by toll revenues.
4. Recommended Action #4 (connects to Foundational Statements 1, 4, 5, and 7): Provide ongoing funding for community-based organizations (CBOs) that serve communities identified in the Oregon Toll Program's Equity Framework and that are impacted by tolling to support the following transportation-related activities including, but not limited to:
- CBO transportation services for carpool, vanpool, and other transportation programs building upon the concept of ODOT's newly created Innovative Mobility Program.
 - Compensation for community members to participate in tolling-related transportation planning activities, projects, or committees.
 - Toll education programs and ongoing engagement to inform the toll program.
 - Increase enrollment in the Oregon Toll Program account holders and access to the low-income toll program.
 - Include CBOs in the monitoring process to identify and help prioritize actions to address neighborhood health and safety issues caused by increased diversion of freight or longer-trips from tolling.
5. Recommended Action #5 (connects to Foundational Statements 4, 6, and 7): To center equity in the important rule-making and I-205 Toll Project rate setting process, the following elements should be included:
- Include an EMAC member on the Rules Advisory Committee.
 - The Rules Advisory Committee should include delegates on behalf of Equity Framework communities, people with lived or professional experience with equity. As delegates, committee members should be empowered to effectively and meaningfully participate in committee decision making.
 - EMAC should be provided with the investment-grade traffic and revenue analysis information and be given the opportunity to give feedback directly to the Rules Advisory Committee before they make a recommendation to the Oregon Transportation Commission.
6. Recommended Action #6 (connects to Foundational Statement 1, 2, 3, 5, 6 and 7): Once tolls are in place and EMAC's work is complete, ODOT and the OTC should continue to support a toll equity accountability committee (that is separate and complementary to the Rules Advisory Committee) or establish another structure where equity voices are at the table in a consistent, transparent, and resource-supported way to ensure long-term accountability. Either the committee or another structure will review progress of the toll program over time to provide feedback and guidance to ODOT and the

OTC to help advance equity processes and outcomes with tolling on I-5 and I-205. The committee (or other entity) would monitor, evaluate, and provide feedback on the following:

- Equity commitments made to address EMAC's core intent: addressing issues of affordability, and the impact of diversion on neighborhood health and safety, and transit and multimodal transportation options.
- Equity commitments made as a part of mitigation in the I-205 and RMPP toll projects.
- Enrollment in and economic impacts of the low-income toll program over time.
- Disadvantaged Business Enterprise (DBE) commitments for workforce development and contracting of toll operations and projects funded by tolling.
- Improving ODOT's approach to equitable engagement and customer service practices.

EMAC Scope and Interaction with ODOT and Other Toll Advisory Committees

Although EMAC's mission is not changing, the scope of the committee's work is going to be focused on turning their recommendations (delivered to the OTC in July 2022) into commitments for sustainable, accountable equity processes and outcomes. EMAC will continue to review and provide guidance on the toll projects, supporting the Regional Toll Advisory Committee and Statewide Toll Rulemaking Advisory Committee (STRAC) workplans, and the ongoing development of the Low-Income Toll Program. For development of the Low-Income Toll Program, EMAC input will support outreach plans required to reach robust participation levels.

We are planning for the following interaction between EMAC, STRAC, and the Regional Toll Advisory Committee (RTAC):

- An active member of EMAC will have a seat on the STRAC and RTAC. This will allow for understanding of committee status at each meeting.
- STRAC will receive the EMAC recommendations as part of the materials that will guide the committee's work. EMAC will provide a recommendation to the STRAC on the draft rules and rate setting process (including low-income program options) for I-205 Toll Project prior to STRAC's recommendation to ODOT. This will occur again when a rulemaking committee is convened for the Regional Mobility Pricing Project.

EMAC Meetings Work Plan 2022 – 2025

Timing of the EMAC interactions with ODOT, OTC, and STRAC, as well as a draft plan for committee meetings are detailed in the charts below. Please see the 2023 EMAC Work Plan Forecast for additional details on monthly meeting topics.

	2022	2023				2024				2025
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1
Accountability				ODOT-EMAC Accountability Workshop #1	Implementa- tion Plan			ODOT-EMAC Accountability Workshop #2		
				OTC				OTC		
Engagement			Toll Project engagement strategy Option for EMAC-led engagement (i.e.: Toll Projects, LITP enrollment)							
EMAC Inputs to Committees				STRAC			RTAC		RTAC	
ODOT Advancing Equity	RMPP	RMPP	I-205 RMPP	RMPP PTS/Nexus	RMPP	RMPP	I-205		RMPP	

2022		
Month	Meeting Type	Topics
October 28	Onboarding	<ul style="list-style-type: none"> Onboarding Meetings with new members <ul style="list-style-type: none"> Member introductions Overview of OTC, ODOT and UMO toll work to date and future plans Review EMAC work including key documents: Equity Framework, Foundational Statements and July 2022 Recommendations
December 7	Full EMAC	<ul style="list-style-type: none"> Formal Introductions of new members and brief overview based on EMAC onboarding presentation Review EMAC Game Plan 2022 – 2025 Review final Low-Income Toll Report and OTC update Overview/Update of RMPP Scoping planning phase (including outreach & engagement)

2023		
Month	Meeting Type	Topics
January 9	Subcommittee	<ul style="list-style-type: none"> Review/Discuss Oregon Highway Plan (OHP) Toll Amendment prior to OTC meeting on January 12
January 24	Subcommittee	<ul style="list-style-type: none"> Discuss EMAC’s priorities for the 2022 – 2025 Work Plan Review/Discuss Equity Framework & RMPP EJ/Social indicators

EMAC 2022-2025 Work Plan

2023		
Month	Meeting Type	Topics
February 1	Full EMAC (in-person at EcoTrust)	<ul style="list-style-type: none"> • Discuss/Finalize EMAC's priorities for the 2022 – 2025 Work Plan • Brainstorm goals for a successful ODOT-EMAC Accountability Workshop. • Understand and provide feedback on ODOT's initiatives to advance equity in the Toll Program: <ul style="list-style-type: none"> ○ Update on upcoming I-205 draft EA public comment process ○ Recommendation for RMPP performance measures ○ Update on LITP ○ Other: OHP Toll Amendment • Updates on RTAC and STRAC progress (from liaisons James Paulson and Dr. Philip Wu, respectively) and discuss intersections with EMAC Work Plan.
March 21	Briefing	<ul style="list-style-type: none"> • I-205 Draft Environmental Assessment Briefing to develop EMAC's formal comment.
March 23	Subcommittee	<ul style="list-style-type: none"> • <u>Accountability</u>: Defining purpose and outcomes for the EMAC-ODOT Accountability Workshop #1.
April 5	Full EMAC (in-person at EcoTrust)	<ul style="list-style-type: none"> • Review case studies and discuss innovative ideas for engaging ODOT in creating a process to develop and sustain accountability. • Finalize committee coordination plan for rate setting and revenue allocation. • Understand and provide feedback on ODOT's initiatives to advance equity in the Toll Program: <ul style="list-style-type: none"> ○ Update on I-205 Draft EA public comment period ○ Finalize EMAC's comment on I-205 Draft EA ○ Update on LITP • Updates on RTAC and STRAC progress (from liaisons James Paulson and Dr. Philip Wu, respectively) and discuss intersections with EMAC Work Plan
April 26	Subcommittee: Engagement	<ul style="list-style-type: none"> • Review and comment on the draft Equitable Engagement Plan for the Regional Mobility Pricing Project's (RMPP) Public Involvement Plan (PIP). • Present upcoming opportunities for EMAC members to participate in engagement events; discuss EMAC's priorities for advancing equitable engagement strategies in the Toll Program.
May 10	Subcommittee: Accountability	<ul style="list-style-type: none"> • Discuss Governor Kotek's announcement about tolling on I-205 and the introduction of the new legislative Subcommittee on Transportation Planning. • Confirm EMAC's guidance for a sustained accountability process; understand ODOT's current and ongoing work to design an accountable Toll Program.
June 21	Subcommittee: Accountability	<ul style="list-style-type: none"> • Update EMAC on ODOT's next steps to advancing EMAC's Recommended Actions to the OTC for Shaping an Equitable Toll Program. • Discuss what is needed to prepare for the ODOT-EMAC Accountability Workshop #1 on July 10.
July 10	Workshop	<ul style="list-style-type: none"> • Workshop #1 with ODOT for turning EMAC Recommendations into commitments and sustaining accountability • Objectives: <ul style="list-style-type: none"> ○ Deepen EMAC's understanding of how ODOT is responding to EMAC's work and the mission to lead with equity. ○ Identify potential gaps and challenges and confirm next steps to advance equity in the Toll Program. ○ Brainstorm and initiate co-creation of successful solutions for achieving and prioritizing EMAC's Recommended Actions for Shaping an Equitable Toll Program.

EMAC 2022-2025 Work Plan

2023		
Month	Meeting Type	Topics
July 21	Joint STRAC-EMAC Meeting	<ul style="list-style-type: none"> • Deepen an understanding of the rulemaking part 2 topics (low-income tolls, discounts and exemptions, vehicle rates by types, toll rate setting and adjustment), by reviewing and discussing past feedback, decisions, regulations, and existing practices from other toll programs. • Discuss the opportunities, challenges, tradeoffs, and questions for these topics. • Review the draft rules outline, and the regulations and policies that inform it. • Clearly understand the roles of the toll committees in the next steps of rule development
August 7	Full EMAC: Equity Considerations in Project Processes (virtual)	<ul style="list-style-type: none"> • Review and discuss tolling options for the Regional Mobility Pricing Project (RMPP) and provide input on equity performance considerations. • Review the Public Transportation Strategy and provide input on equity criteria that will be used to identify and assess public transportation projects and supportive services. • Review the nexus project selection framework and provide input on equity criteria.
September 14	OTC	<ul style="list-style-type: none"> • ODOT Toll Program Update: Discussing Low-Income Toll Options
October 4	Full EMAC (in-person at EcoTrust)	<ul style="list-style-type: none"> • Understand and provide input on ODOT's progress and challenges to advancing equity in the Toll Program. <ul style="list-style-type: none"> ○ RMPP NEPA analysis: updates on RMPP options modeling results ○ Update on the Low-Income Toll Program Options, including a recap and analysis of discussions at the September OTC and STRAC meetings ○ Multimodal investments: update on PTS and nexus projects ○ Equitable engagement • Updates on RTAC and STRAC progress (from liaisons James Paulson and Dr. Philip Wu, respectively) and discuss intersections with EMAC Work Plan • Reflect on 2023 milestones and discuss EMAC's priorities for the 2024.
Late October TBD	Full EMAC (virtual)	<ul style="list-style-type: none"> • Review equity implementation outline with EMAC. • Review the diversion mitigation implementation plan's equity approach.
November 9	OTC	<ul style="list-style-type: none"> • ODOT Toll Program Update: Finalizing a Low-Income Toll Discount
Mid-November TBD	Full EMAC (virtual)	<ul style="list-style-type: none"> • Deepen an understanding of the ODOT's Tribal engagement activities about the Toll Program, including Tribal government and indigenous community outreach. • Review and discuss proposed changes to the ODOT Toll Project Equity Framework to add language that includes Tribal nations.
December		<ul style="list-style-type: none"> • No Meeting

EMAC 2022-2025 Work Plan

2024		
Month	Meeting Type	Topics
January 24	Full EMAC (in-person at EcoTrust)	<ul style="list-style-type: none"> Briefing on the toll rules packet, including the Low-Income Toll Program, as EMAC develops a draft formal comment during the public comment period. Understand and provide input on ODOT's progress and challenges to advancing equity in the Toll Program: <ul style="list-style-type: none"> RMPP NEPA analysis: EMAC to provide input on findings from the RMPP NEPA technical analysis, review potential impacts to equity populations and provide input on mitigation strategies. Rulemaking, rate-setting, and revenue allocation Multimodal investments: update on PTS and nexus projects DBEs Equitable engagement Long-term accountability Updates on RTAC progress from liaison James Paulson and discuss intersections with EMAC Work Plan
February TBD	TBD	<ul style="list-style-type: none"> TBD
March TBD	TBD	<ul style="list-style-type: none"> TBD
April TBD	Full EMAC (in-person at EcoTrust)	<ul style="list-style-type: none"> EMAC to provide input on RTAC's proposed monitoring framework. Understand and provide input on ODOT's progress and challenges to advancing equity in the Toll Program: <ul style="list-style-type: none"> RMPP NEPA analysis Rulemaking, rate-setting, and revenue allocation: review I-205 Level 2 Traffic and Revenue report. Multimodal investments DBEs Equitable engagement Long-term accountability Updates on RTAC progress from liaison James Paulson and discuss intersections with EMAC Work Plan
May TBD	TBD	<ul style="list-style-type: none"> <u>Accountability</u>: Recommendation to ODOT for ODOT-EMAC Workshop #2 agenda and meeting materials.
June TBD	Full EMAC: Briefing	<ul style="list-style-type: none"> I-205 Supplemental Environmental Assessment briefing to develop EMAC's formal comment.
June TBD	Full EMAC (virtual)	<ul style="list-style-type: none"> Review RMPP Level 2 Traffic and Revenue report.
July TBD	Workshop	<ul style="list-style-type: none"> Workshop #2 with ODOT for turning EMAC Recommendations into commitments and sustaining accountability
August		<ul style="list-style-type: none"> No Meeting
September TBD	TBD	<ul style="list-style-type: none"> TBD
Fall 2024 (TBD)	OTC	<ul style="list-style-type: none"> ODOT Toll Program Update

EMAC 2022-2025 Work Plan

2024		
Month	Meeting Type	Topics
October TBD	Full EMAC (in-person at EcoTrust)	<ul style="list-style-type: none"> • TBD Fall 2024: EMAC to provide input on RTAC’s proposed revenue allocation framework. • RMPP Environmental Assessment briefing to develop EMAC’s formal comment. • Understand and provide input on ODOT’s progress and challenges to advancing equity in the Toll Program: <ul style="list-style-type: none"> ○ RMPP NEPA analysis ○ Rulemaking, rate-setting, and revenue allocation ○ Multimodal investments ○ DBEs ○ Equitable engagement ○ Long-term accountability • Updates on RTAC progress from liaison James Paulson and discuss intersections with EMAC Work Plan
November TBD	TBD	<ul style="list-style-type: none"> • TBD
December		<ul style="list-style-type: none"> • No Meeting

2025		
Month	Meeting Type	Topics
January	Full EMAC (in-person at EcoTrust)	<ul style="list-style-type: none"> • Understand and provide input on ODOT’s progress and challenges to advancing equity in the Toll Program: <ul style="list-style-type: none"> ○ RMPP NEPA analysis ○ Rulemaking, rate-setting, and revenue allocation ○ Multimodal investments ○ DBEs ○ Equitable engagement ○ Long-term accountability
February	TBD	<ul style="list-style-type: none"> • TBD
March	TBD	<ul style="list-style-type: none"> • TBD
April or TBD	Full EMAC (in-person at EcoTrust)	<ul style="list-style-type: none"> • Final Meeting • Closing comments and long-term reflection: for NEPA I-205 and RMPP, toll rate setting, low-income toll programs, workshops for sustainability and accountability • Final reflections

Memorandum

Date	September 27, 2023
To	EMAC Members
From	Oregon Toll Program Project Team
Subject	Next Steps from the EMAC-ODOT Accountability Workshop #1

The [Equity and Mobility Advisory Committee \(EMAC\)](#), convened by the Oregon Department of Transportation (ODOT), provides recommendations to ODOT and the Oregon Transportation Commission (OTC) to advance equity in the Oregon Toll Program by centering BIPOC communities, persons experiencing low-incomes, and historically and currently excluded and underserved communities.

Background

In 2022, the OTC adopted EMAC's [Shaping an Equitable Toll Program: Recommendations to the OTC](#), which included a recommended action that "ODOT and the OTC support a toll equity accountability committee or establish another structure where equity voices are at the table in a consistent, transparent, and resource-supported way to ensure long-term accountability."

After EMAC presented their report to the OTC, ODOT applied EMAC's recommendations to the I-205 Toll Project, the Regional Mobility Pricing Project, and the Oregon Toll Program. On July 10, 2023, ODOT hosted the inaugural EMAC-ODOT Accountability Workshop, during which members continued to deepen their understanding of how ODOT is advancing equity in the Toll Program, as well as identify and discuss challenges and opportunities to achieving shared equity goals. In preparation for the Workshop, ODOT compiled a [progress report](#) demonstrating ODOT's advancement of EMAC's recommendations, which are in various stages of development.

Summary of workstreams and actions

As an outcome of the Accountability Workshop, ODOT leaders and EMAC committee members observed significant overlap in workstreams across the six recommended actions, prompting an agreement to consolidate ODOT's numerous activities according to major Toll Program initiatives. The following document organizes ODOT's actions and next steps to achieving EMAC's equity recommendations in relation to six Toll Program workstreams:

1. Project development and engagement
2. Rulemaking
3. Rate-setting and revenue allocation
4. Low-income toll program enrollment
5. Diversity and workforce
6. Long-term accountability

Legend 1: Next Steps

Next Steps	
Short-term	To be completed in 2023
Medium-term	To be completed 2024 – 2026
Long-term	To be completed beyond 2026, after tolling is in place

Legend 2: Percent Complete

Percent Complete ¹	
10%	The action has started and may be in early planning, analysis, or development stages.
25%	Preliminary progress has been made, and more inputs are required to advance.
50%	Progress is underway, and a completion timeline exists. More inputs may be required to advance.
75%	Approaching completion.
100%	Fully complete.

¹ Note: The steps to complete each action vary greatly. The descriptions are meant to provide a broad definition of percent complete. The Next Steps for each action best illustrate anticipated progress.

1 Project development and engagement

ODOT and the Federal Highway Administration have initiated environmental analysis for the I-205 Toll Project and the Regional Mobility Pricing Project's (RMPP) to identify the potential benefits and impacts for each toll project. EMAC will continue to advise at key decision points on the needs and opportunities for achieving community mobility and equity priorities as part of the National Environmental Policy Act (NEPA) process for toll implementation.

EMAC has provided the following inputs and guidance to ODOT to ensure equity is advanced throughout the I-205 Toll Project and RMPP NEPA process:

- **Equity Framework**, including a robust description and dimension of process and outcome equity, organizing principles, guidelines for incorporating a trauma-informed perspective, and a five-step iterative process.
- **I-205 Toll Project Performance Measures** guide both process and outcome equity goals for the I-205 Toll Project NEPA process.
- **EMAC's OTC Recommendations**, which advise ODOT to avoid disproportionate burdens and focus on benefits among equity communities.
- Input on **indicators** for the RMPP Environmental Justice (EJ) and Community and Social Resources (CSR) analysis and technical report, which were adapted from the I-205 Toll Project Performance Measures.
- Input on **equitable engagement strategies** for the I-205 Toll Project and RMPP Public Involvement Plans.
- EMAC members have participated in several ODOT-led discussion groups with **community-based organization (CBOs)**, receiving input directly from equity community representatives.

As the I-205 Toll Project and RMPP NEPA process continues through fall 2023 and into 2024, ODOT will request EMAC's strategic guidance to advance equity at several upcoming decision points:

- **October 4, 2023:** EMAC to provide input on RMPP options modeling results. This will support ODOT as the project continues to develop.
- **January 2024:** EMAC to receive an update on RMPP modeling results for the Proposed Action, reviewing potential impacts and benefits to equity communities and providing input on mitigation strategies. This will support ODOT's identification of on mitigation measures approximately March 2024.
- **June 2024:** EMAC to draft a formal comment on the published I-205 Toll Project Supplemental Environmental Analysis.
- **October 2024:** EMAC to draft a formal comment on the published RMPP EA during the public comment period.

This workstream relates directly to EMAC's recommendations 1, 2, 4, and 6.

Regional Mobility Pricing Project

Next Steps from the EMAC-ODOT Accountability Workshop #1 / September 27,2023

Actions:

Status	Action	Percent Complete	Schedule	Staff Lead
Active	<p>During RMPP NEPA analysis, the technical analysis considers:</p> <ul style="list-style-type: none"> • Price the system to maximize efficiency of the toll corridors, emphasizing moving as many people as possible in the existing lanes. • Limit freight and longer-trips diverting into local communities. • Improve access to jobs, healthcare services, education, recreation, and natural spaces. • Improve air quality and reduce Greenhouse Gas (GHG) emissions. • Reduce vehicle miles traveled (VMT) per capita. 	10%	2023-2024	Mandy Putney
Active	To amplify the needs and concerns of Equity Framework communities, ODOT will continue conducting equitable engagement efforts within Equity Framework communities through CBO discussion groups and interviews, Community Engagement Liaison (CEL) discussion groups, and direct, on-the-ground outreach like flyer or tabling. These engagement efforts directly inform the toll program.	50%	2021-ongoing	Hannah Williams

Next steps:

Status	Next Step	Date
Completed	EMAC to provide input on RMPP options and performance expectations for equity and mobility, prior to NEPA modeling.	August 7, 2023
Short-term	EMAC to provide additional input on RMPP options modeling results.	October 4, 2023
Short-term	Continue with CBO and CEL discussion series and relationship building, including CBO interviews and tabling partnerships.	Fall 2023
Short-term	ODOT will continue to engage EMAC members to advise and participate in CBO-focused engagement efforts.	Fall and Winter 2023
Medium-term	EMAC to provide input on findings from the RMPP NEPA technical analysis, identify potential impacts to equity populations and develop mitigation and other nexus projects.	January 2024
Medium-term	EMAC to provide public comment during the I-205 supplemental EA public comment process.	June 2024
Medium-term	EMAC to provide public comment during RMPP EA public comment process.	October 2024

2 Rulemaking

The Statewide Toll Rulemaking Advisory Committee (STRAC) was convened in January 2023 to help develop Oregon Administrative Rules that will determine how customers interact with and use the toll system and how toll rates are set up and adjusted. These rules will apply to planned toll projects in the Portland Metropolitan area, as well as any future toll projects in the state. ODOT will incorporate input from STRAC and EMAC committee members, as well as equity community representatives through a robust engagement process with community-based organizations (CBOs). ODOT will publish the final rules in December 2023, followed by a public comment period. **The rules will be confirmed by the OTC in February 2024.**

Before and during STRAC’s tenure, EMAC has advised ODOT’s rulemaking process, providing input on low-income toll options:

- **EMAC’s OTC Recommendations** advise ODOT to prioritize a substantial contribution to the low-income toll program to address affordability impacts for those with the least ability to pay.
- EMAC provided strategic advice to ODOT in the development of the **Low-Income Toll Report**, which was presented to the OTC in September 2022. EMAC’s input suggested providing a sizeable benefit at 200% of the Federal Poverty Line (FPL) and a smaller benefit above 200% and up to 400% of the FPL, balancing discounts and exemptions with revenue generation, and self-certification processes to streamline enrollment.
- Most recently, EMAC provided input on considerations for a low-income toll program at a **joint EMAC-STRAC meeting in July 2023.**

This workstream relates directly to EMAC’s recommendations 1, 2, and 5.

Actions:

Status	Action	Percent Complete	Schedule	Staff Lead
Complete	The Statewide Toll Rulemaking Advisory Committee (STRAC) includes delegates from both EMAC and Equity Framework Communities. Current EMAC member Dr. Phil Wu currently serves on STRAC, alongside Park Woodworth, former EMAC member and Equity Community delegate.	100%	2022-2023	Travis Brouwer, Maureen Bock
Active	As part of the work of the Statewide Toll Rulemaking Advisory Committee (STRAC) and implementation of the low-income toll program, prepare rules that inform an OTC decision on a rate schedule that balances revenue generation, congestion management (climate), and low-income toll program goals to support equity for low-income families and individuals.	25%	2023-2024	Travis Brouwer, Maureen Bock

Next steps

Status	Next Step	Date
Complete	The joint STRAC-EMAC meeting advanced options for a low-income toll discount or program.	July 21, 2023
Short-term	EMAC to provide input on low-income toll options and financial tradeoffs of rates and revenue generation.	October 4, 2023

Status	Next Step	Date
Medium-term	EMAC to provide input on the final toll rules packet before a recommendation is made to the OTC.	January 2024

3 Rate-setting and revenue allocation

The Regional Toll Advisory Committee (RTAC) was convened in August 2022 to further the engagement of Portland metropolitan region's policymakers and stakeholders to provide input, advice, and support as we prepare to implement tolling in the region. RTAC will provide iterative strategic input to ODOT on criteria for allocation of net toll revenue in 2024. EMAC will provide input on this framework prior to RTAC's final recommendation.

The toll rate structure will ultimately be adopted by the OTC approximately six months before tolling begins, likely in 2025. In the OTC Recommendations, EMAC advises ODOT on prioritizing equity through the rate-setting process by selecting a rate schedule that emphasizes demand management and maintaining the lowest possible rates while generating sufficient revenue for a low-income toll program, multimodal capital investments, and project mitigations.

EMAC has provided guidance about rate-setting and revenue allocation in their **recommendations to the OTC**:

- Select a rate schedule that emphasizes **demand management and equity advancement**.
- Maintain the **lowest possible toll rates for everyone while generating sufficient revenue** for Oregon Legislature-identified multi-modal capital investments and project mitigations (including for the low-income program).

ODOT has convened regional partners to identify and prioritize multimodal investments that improve multimodal access to the region's opportunities for historically underserved communities. EMAC's previous guidance has directly shaped ODOT's approach to collaborating with partners to discuss multimodal transportation solutions:

- The **Equity Framework** defines historically excluded and underserved communities as more likely to **be transit-dependent and/or disproportionately affected by changes in travel cost and choices**, including the elderly, people of color, low-income persons, and persons with disabilities. Additionally, the Equity Framework defines **access to opportunity** as a key dimension of outcome equity. This equity goal emphasizes the need for alternative transportation choices, including transit, to those who cannot afford or choose not to use a tolled facility.
- **EMAC's OTC Recommendations** advise ODOT and regional partners to make **robust investments** in reliable, emissions-reducing transportation options, including bike, walk, bus, carpool, and vanpool, to advance climate, safety and mobility. Additionally, EMAC encourages ODOT to **support CBO transportation services** for carpool, vanpool, and other transportation programs building upon the concept of ODOT's Innovative Mobility Program (IMP).

EMAC's previous guidance and direct input shaped the equity considerations and project selection criteria for the following:

- **Public Transportation Strategy**, developed by regional partners to identify **near- and long-term public transportation projects and supportive services** that are complementary to a congestion pricing system on I-5 and I-205. This strategy aims to increase public transportation options and advance a more equitable and climate-friendly transportation system.

Regional Mobility Pricing Project

Next Steps from the EMAC-ODOT Accountability Workshop #1 / September 27,2023

- **Nexus project processes**, which will identify **pedestrian, bicycle, and other roadway projects** that would complement a tolling system on I-5 and I-205 in the Portland metropolitan region. These projects aim to improve mobility, expand access to opportunity, and address disparities and barriers experienced by equity communities.

This workstream relates directly to EMAC’s recommendations 1, 2, 4, 5 and 6.

Actions:

Status	Action	Percent Complete	Schedule	Staff Lead
Complete	During the planning processes to update the Oregon Transportation Plan and Oregon Highway Plan, work to consider and incorporate where feasible EMAC’s recommendations into the final revised plans.	100%	2022-2023	Amanda Pietz
Active	Coordinate with regional partners to establish an equitable Public Transportation Strategy for the Portland Metropolitan and SW Washington area. The Public Transportation Strategy will identify near- and long-term public transportation projects and supportive services that are complementary to a congestion pricing system on I-5 and I-205.	75%	2022-2023	Mandy Putney, Public Transportation Division Administrator
Active	As part of the Regional Toll Advisory Committee’s (RTAC) work, members will consider how robust regional investments in reliable, emissions-reducing, and a competitive range of transportation options (bike, walk, bus, carpool, vanpool, etc.) can advance climate, safety, and mobility. These projects are referred to as “nexus” projects.	20%	2023	Mandy Putney
Active	ODOT will be responsible for developing and implementing the Innovative Mobility Program, an initiative that aims to improve access to public transportation, reduce the number of trips Oregonians make by car, and reduce greenhouse gas emissions. The IMP has a special focus on equity and helping historically excluded groups to get to where they need to go more quickly, cheaply, and safely.	15%	2022-2027	Innovative Mobility Program Manager
Active	As directed by Governor Kotek, ODOT will prepare an implementation report that includes plans to mitigate diversion impacts.	15%	Due on December 15, 2023	Della Mosier, Mandy Putney

Next steps:

Status	Next Step	Date
Complete	EMAC to provide input on the Public Transportation Strategy and nexus projects selection criteria.	August 7, 2023
Short-term	EMAC to receive an update on the status of the Public Transportation Strategy and nexus projects.	October 4, 2023
Short-term	EMAC to review the diversion mitigation implementation plan’s equity approach.	October TBD 2023

Regional Mobility Pricing Project

Next Steps from the EMAC-ODOT Accountability Workshop #1 / September 27,2023

Status	Next Step	Date
Medium-term	ODOT will release the scope, scale, and program guidance for the Innovative Mobility Program's large grants.	TBD
Medium-term	EMAC to provide input on the Regional Toll Advisory Committee's (RTAC) proposed revenue allocation framework.	Fall 2024
Medium-term	The toll rate structure will ultimately be adopted by the OTC about 6 months before tolling begins.	TBD 2025
Medium-term	ODOT to continue providing flexible funding on a rolling basis to a wide range of organizations through the Innovative Mobility Program microgrants program.	Ongoing through 2027

4 Low-income toll program enrollment

This workstream is aimed at ensuring Toll Program education efforts meaningfully engage equity communities, and that those eligible for low-income toll options are enrolled in a low-income toll program at higher-than-average rates. EMAC has provided strategic guidance to ODOT at multiple points during the low-income toll program planning phase:

- **Equity Framework**, including a robust description and dimension of process equity, guidelines for incorporating a trauma-informed perspective, and a five-step iterative process.
- EMAC provided input on the **Low-Income Toll Report**, including options for equitable enrollment rules and policies to ensure robust participation among eligible road users.
- EMAC members have participated in several ODOT-led discussion groups with **community-based organization (CBOs)**, receiving input directly from equity community representatives about low-income toll options.

EMAC's OTC Recommendations advise ODOT to provide ongoing funding for CBOs that serve equity communities to support toll education programs and enrollment processes. This would create and sustain meaningful partnerships within equity communities, ensuring that their needs and concerns are amplified and directly incorporated into project outcomes. ODOT is pursuing contracts with CBOs in preparation for Toll Program education and enrollment processes which will commence prior to tolling becomes operational in 2026. In the meantime, robust equitable engagement processes related to the I-205 Toll Project, RMPP, and rulemaking continue through 2024.

This workstream relates directly to EMAC's recommendation 4.

Regional Mobility Pricing Project

Next Steps from the EMAC-ODOT Accountability Workshop #1 / September 27,2023

Actions:

Status	Action	Percent Complete	Schedule	Staff Lead
Complete	ODOT has developed the Equitable Engagement Compensation Program (EECP), which pays eligible participants for their time spent in engagement activities with ODOT such as, but not limited to, advisory committees, focus groups, and workshops. Participants are typically paid \$20-30 per hour via prepaid cash card for scheduled time to participate. Payments come in the form of one-time incentives, stipends for engagement activities that occur twice or more, and Community Engagement Contracts for specific deliverables.	100%	2021-2022	Erika McCalpine
Active	To amplify the needs and concerns of Equity Framework communities, ODOT will continue conducting equitable engagement efforts within Equity Framework communities through CBO discussion groups and interviews, Community Engagement Liaison (CEL) discussion groups, and direct, on-the-ground outreach like flyering or tabling. These engagement efforts directly inform the toll program.	50%	2021-ongoing	Hannah Williams
Active	To create and sustain meaningful partnerships within Equity Framework communities, ODOT will contract with CBOs to carry out engagement services for the Toll Program.	50%	2022-2026	Hannah Williams

Next steps:

Status	Next Step	Date
Short-term	Continue with CBO and CEL discussion series and relationship building, including CBO interviews and tabling partnerships.	Fall 2023
Short-term	ODOT will continue to engage EMAC members to advise and participate in CBO-focused engagement efforts.	Fall and Winter 2023
Short-term	Continue working with procurement through 2023 to register CBOs with price agreements for engagement services they could provide to the agency.	Ongoing through 2023

5 Diversity and Workforce

The diversity and workforce workstream focuses on actions ODOT is implementing to involve disadvantage business enterprises, minority business enterprises, women business enterprises and community-based organizations. EMAC provides clear guidance in the OTC Recommendations that tolling and related investments must create more jobs for women, small, and minority-owned businesses in historically excluded communities.

EMAC’s guidance in the OTC Recommendations includes identifying and committing to a plan for increasing the percentage of dollars spent on Disadvantaged Business Enterprises, Minority Business Enterprises, and Women Business Enterprises that are awarded contracts for designing, building, and operating the toll system and projects supported by toll revenues.

Next Steps from the EMAC-ODOT Accountability Workshop #1 / September 27, 2023

This workstream is currently under development, as construction is not yet underway for the I-205 Toll Project and RMPP. Additionally, DBE goals are established at federal levels, and coordinated and managed by state agencies such as ODOT. **As plans for toll gantry construction develop in 2024, ODOT will brief EMAC on DBE goals, requirements, timelines, and commitments.**

This workstream relates directly to EMAC’s recommendation 3.

Actions:

Status	Action	Percent Complete	Schedule	Staff Lead
On the horizon	As part of the work on the I-205 Toll Project and the Regional Mobility Pricing Project (RMPP), ODOT will develop diversity and workforce goals for construction contracts.	0%	TBD	Mandy Putney, Maureen Bock, Office of Equity and City Rights
On the horizon	Develop a system or process to monitor progress towards DBE commitments for workforce development and contracting of toll operations and projects funded by tolling.	0%	2024-2026	Mandy Putney, Maureen Bock, Office of Equity and City Rights

Next steps:

Status	Next Step	Date
Medium-term	ODOT will brief EMAC on DBE goals and requirements for I-205 Toll Project and RMPP gantry construction.	TBD 2024

6 Long-term accountability

EMAC members have consistently noted their interest in and commitment to establishing long-term accountability structures for the Oregon Toll Program. This workstream is early in its development, with EMAC providing direct input through the OTC Recommendations in July 2022, EMAC meetings and subcommittee meetings in winter and spring of 2023, and the inaugural EMAC-ODOT Accountability Workshop in July 2023.

The following themes summarize EMAC’s guidance to ODOT about long-term accountability:

- An **equity accountability process or structure** is needed to continuously monitor measurable impacts, ensuring ODOT’s Toll Program equity commitments are advanced and sustained in perpetuity. This includes:
- A commitment to **continuous equitable engagement and consultation** is needed to involve Southwest Washington communities, families and individuals experiencing low-incomes, transit users, people without access to technology, and formerly and currently excluded and underserved communities.
- Relatedly, **transparent decision-making processes** are needed to support a feedback loop and continuous communication between ODOT and equity communities. ODOT should involve equity communities in monitoring and reporting processes, facilitating a two-way conversation when programmatic changes are needed.
- There is a need to develop processes and procedures to **resolve barriers to equity commitments** if the Toll Program is unable to meet equity goals.

Regional Mobility Pricing Project

Next Steps from the EMAC-ODOT Accountability Workshop #1 / September 27,2023

During the EMAC-ODOT Accountability Workshop #1, ODOT facilitated a deeper understanding of the agency’s progress towards EMAC’s equity goals, and presented a plan for advancing equity before tolling becomes operational. In future Workshops, ODOT will facilitate additional conversations with EMAC to determine a long-term accountability process or structure and eventually confirm an implementation plan.

This workstream relates directly to EMAC’s recommendation 6.

Actions:

Status	Action	Percent Complete	Schedule	Staff Lead
Active	As directed by Governor Kotek, ODOT will prepare an implementation report that details the plan to address equity concerns.	15%	Due on December 15, 2023	Della Mosier, Mandy Putney
Active	As a part of the work of the Regional Toll Advisory Committee, develop a monitoring framework for the Toll Projects that measures the impacts of diversion and determine a process for updating mitigation plans if needed.	25%	2023-2024	Mandy Putney, Maureen Bock

Next steps:

Status	Next Step	Date
Complete	Hold EMAC-ODOT Accountability Workshop #1 to deepen an understanding of how ODOT is advancing equity in the Toll Program.	July 10, 2023
Short-term	EMAC to review the equity implementation plan and the diversion mitigation implementation plan, including a preliminary equity approach to monitoring.	October TBD 2023
Short-term	ODOT to include details about a long-term Toll Program monitoring and accountability structure in the tolling implementation reports, which will be delivered to Governor Kotek by December 15, 2023.	December 15, 2023
Medium-term	EMAC to provide input on RTAC’s proposed monitoring framework.	Spring 2024
Medium-term	Hold EMAC-ODOT Accountability Workshop #2 to discuss options for a long-term accountability oversight process or structure.	July 2024
Medium-term	Hold EMAC-ODOT Accountability Workshop #3 to review a plan for implementing a long-term accountability process or structure.	July 2025

Meeting Summary

Subject	Equity and Mobility Advisory Committee – Meeting #23
Date and Time	August 7, 2023 / 11:00 a.m.
Location	Virtual via Microsoft Teams; recording available via YouTube livestream

Meeting Participants	Organization
LaQuinta Daniels	Clark County Juvenile Court
Amanda Garcia-Snell	Washington County Community Engagement
John Gardner	TriMet
Olivia Holden	At-large member
Duana Johnson	At-large member
James Paulson	WorkSystems, Inc.
Adam Torres	Clackamas County Public Health
Rachel Winslow	At-large member
Dr. Philip Wu	Oregon Environmental Council
Commissioner Alicia Chapman	Incoming OTC Liaison
Commissioner Sharon Smith	Outgoing OTC Liaison

Name	Meeting Role	Name	Meeting Role
Jessica Stanton	Facilitator	Josh Channell	Project team, Presenter
Rochelle Brahall	Project team	Perla Solis	Project team, Presenter
Mandy Putney	ODOT, Presenter	Logan Cullums	Project team
Zoie Wesenberg	ODOT, Presenter		

1 Welcome, Introductions, and Objectives

Jessica Stanton welcomed meeting participants, reviewed meeting logistics, and reminded EMAC members that this meeting is public. She reviewed EMAC’s working agreements and discussed the meeting agenda and objectives.

Jessica then introduced Commissioner Alicia Chapman, the incoming Oregon Transportation Commission (OTC) liaison, and recognized the work of Commissioner Sharon Smith as the outgoing OTC liaison.

2 RMPP Options and Criteria

Zoie Wesenberg, ODOT, shared an overview of the Regional Mobility Pricing Project (RMPP) process and schedule, and discussed the screening-level evaluation to refine the project concept for the Environmental Assessment (EA). RMPP will involve congestion pricing applied to all lanes of I-5 and I-205 from the Columbia River to the I-5 Boone Bridge, toll rates will be on a set schedule based on congestion and traffic patterns, and it will be an all-electronic tolling system.

RMPP has two options to evaluate for the EA. Option 1 uses a full system and Option 2a/b uses a toll zone system. For Option 1, trips would be charged a base toll for demand management, plus a variable toll in congested areas during peak hours. Options 2a and 2b would have one fee paid per zone and zone fees would vary by time of day.

- An EMAC member asked if users would pay one base toll for Option 1. They also asked how users will know the fee before traveling through a congestion toll area.
 - Users would pay one base toll for Option 1. Users will know the congestion fee ahead of time as each zone will have the fee schedule published and signage would be available. Details of the signage plan have not yet been determined.
- An EMAC member asked if there will be reduced prices for people taking multiple trips. They also commented on safety concerns of electronic tracking as people pass through the toll gantry.
 - The goal of the environmental analysis is to capture the full impacts and benefits, so the project will assume that everyone will pay the same rate. There will be parallel conversations occurring about the details of the low-income toll program. The gantries will capture license plate information, but the data will not be stored or shared publicly.
- An EMAC member asked what the benefit of Option 1 is compared to Option 2a/b.
 - There are trade-offs between the options, and the project team is presenting these models as options to consider. Traffic modeling has not been completed for either option, but that will provide more information about the full benefits and impacts.
- An EMAC member asked if there will be a daily cap on toll fees.
 - Policy discussions with the Statewide Toll Rulemaking Committee (STRAC) will lead to rate-setting recommendations, including whether tolls should be capped.
- An EMAC member commented that Option 2 would likely lead to a lot of diversion as drivers find the gaps in the toll system. With the I-205 Toll Project, diversion is a critical concern and creates challenges for building support for the project, so diversion should have the same level of consideration for RMPP.
- An EMAC member asked what the advantage of tolling the I-5/I-205 Interchange is for 2b compared to 2a.
 - The project team has not completed traffic modeling for either option yet, so the full benefits and impacts are not clear yet. Once traffic modeling is completed, the project team will have a better understanding.

Meeting Summary: Equity and Mobility Advisory Committee – Meeting #23, August 7, 2023 / 11:00 a.m.

- An EMAC member said that the best option would be one that the public understands and allows users to know what they will pay each time they use the system. Option 1 seems easier to understand, more seamless for implementing a low-income toll program, and better for diversion.
 - There will be a low-income toll program, but the details of that program haven't been defined at this point, so the EA will assume that all trips are charged at the same rates.

Josh Channell, project team, reviewed the draft considerations for comparing the project options. Model performance considerations include congestion and demand management on I-5 and I-205, the regional system performance, diversion to non-tolled facilities, and multi-modal travel. Other qualitative considerations include equity, non-toll and multi-modal alternatives, revenue potential, customer experience, compatibility and ease of integration, and constructability, risk, and schedule. Josh reviewed how EMAC inputs have been considered in the RMPP options, including the equity framework, I-205 performance measures, RMPP indicators, and EMAC's recommended actions.

Draft considerations for equity include location and number of non-tolled trips on I-5 and I-205, comparison of rates and costs for trips on I-5 and I-205, travel times for trips, traffic volume roadway changes on local streets in equity focus areas, and the change in number of trips on I-5 and I-205 that start in equity focus areas.

- An EMAC member asked how "equity focus areas" are defined.
 - Equity focus areas are geographic areas defined by Metro. Equity framework communities refer to communities that fall under EMAC's equity framework.

Discussion question: Do the equity considerations for comparing options provide the information we need to make the comparison? Should any criterion be added or deleted to improve your understanding of the equity benefits and impacts from each of the options?

EMAC members expressed that fairness, simplicity, and the customer experience are key considerations for comparing the options.

- An EMAC member commented that there will be trade-offs between the different options to align the NEPA process with equity considerations. Equity should be the starting point for evaluating the options rather than looking at the models and working in equity considerations.
 - ODOT is seeking feedback from EMAC on what should be considered in the evaluation to bring the equity consideration into the big-picture analysis of the project.
- An EMAC member noted that traffic volume alone is not an adequate measure of community health and safety.
 - Traffic volume is an important indicator for equity considerations, but it is not a stand-alone indicator, and it will be considered along with a variety of evaluation criteria.
- An EMAC member asked if there is political support for the options.
 - ODOT has been working with agency staff as the options were developed. ODOT is following current legislative direction to support regional pricing.
- Commissioner Chapman acknowledged that it is important to make sure time and energy is not spent on evaluating a model that is not a viable option.

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- An EMAC member noted that the concept so far has been that everyone will pay a toll and the low-income toll program will be a mitigation for equity communities. Within that framework, Option 2 is inequitable because users could avoid paying a toll by rerouting around the toll zones.

3 Public Transportation Strategy and Nexus Projects Equity

Perla Solis, project team, provided an overview of the purpose, goal and objectives, and approach for the Public Transportation Strategy (PTS). Three screening categories have guided regional partners in determining PTS project eligibility: project type, relationship to congestion, and equity. Regional partners submitted projects for consideration in July 2023. The project team is now evaluating how well these projects meet the purpose, goals and objectives, as well as identifying projects that should be prioritized with the implementation of tolling.

- An EMAC member noted that the assessment criteria and screening questions accurately represent EMAC's feedback and priorities for equity.

Mandy Putney, ODOT, provided an overview of the nexus projects, which are pedestrian, bicycle, roadway, or other mobility projects that would complement a tolling system on I-5 and I-205. Nexus project equity selection criteria include project location, benefits, access to job centers, and climate.

Discussion question: What input do you have on the PTS and nexus projects' equity lens and criteria? What equity considerations should be considered when prioritizing the project moving forward?

- An EMAC member commented that impacts on health and safety from diversion to pedestrians is a general concern. The impacts to local roads need to be considered to create safer pedestrian environments off the toll facilities once tolls are implemented.
 - That is a factor that will be evaluated in NEPA. Long-term monitoring will consider the impacts of tolling, PTS, and nexus projects to ensure mitigation measures are effective.
- An EMAC member said that diversion onto local streets will slow down public transit while transit providers are trying to get more people using transit, so those consequences need to be considered.
 - Impacts to transit are being considered in evaluation criteria on the toll system and the local system.
- An EMAC member asked how ODOT is addressing perceived safety for transit users.
 - TriMet rider-recovery data shows a rebalancing of public safety. Safety officers, transit police, and social service staff are helping to combat safety concerns.
- An EMAC member asked how to get more follow-up on PTS projects in the future.
 - ODOT will continue to provide PTS updates directly to EMAC.

4 Public Comment

Members of the public were asked to provide comments prior to the meeting. These comments are provided as an attachment to this summary.

5 Wrap Up & Next Steps

A virtual EMAC meeting will tentatively be held in September to discuss Tribal government and indigenous community engagement, and proposed updates to the ODOT Toll Project Equity Framework. An in-person EMAC meeting will be held on October 4 to review the Equity Framework, discuss the progress on ODOT's active actions to advance equity, and review the RMPP modeling updates.

Commissioner Chapman noted appreciation for EMAC's feedback and acknowledged that there is confusion about the user-experience for the different options for RMPP that needs to be clarified.

6 Action Items

The project team heard the following requests for action items:

- Include PTS updates as an agenda item for future meetings
- Follow-up conversation about including equity considerations for undocumented individuals



Equity and Mobility Advisory Committee

Meeting #24

October 4, 2023

Welcome and Technical Info

- This meeting is being held via Zoom webinar and is also being live-streamed on YouTube.
- EMAC members are participating virtually.
- For all others watching virtually, video and chat are disabled, and attendees are muted.

What you say is part of the public record and open to public records requests through the Oregon Public Records and Meetings Law.

Centering Exercise



Working Together Agreements



EMAC Statement of Purpose



- Neighborhood health and safety
- Low-income
- Transit and multimodal

Providing input directly to the Oregon Transportation Commission, EMAC was convened in 2020 to ensure equitable toll project processes and outcomes.

Our Plan for Today

- Welcome and Objectives
- Low-Income Toll Options
- Regional Mobility Pricing Project (RMPP) Options
- Updates on Advancing Equity
- Going Forward

Objectives

- Review and discuss Regional Mobility Pricing Project options and evaluation findings.
- Receive an update on ODOT's work to implement tolling and upcoming decisions related to the Low-Income Toll Program.
- Update the committee on how ODOT is advancing equity in the Toll Program.

Low-Income Toll Options

Jessica Stanton, Facilitator

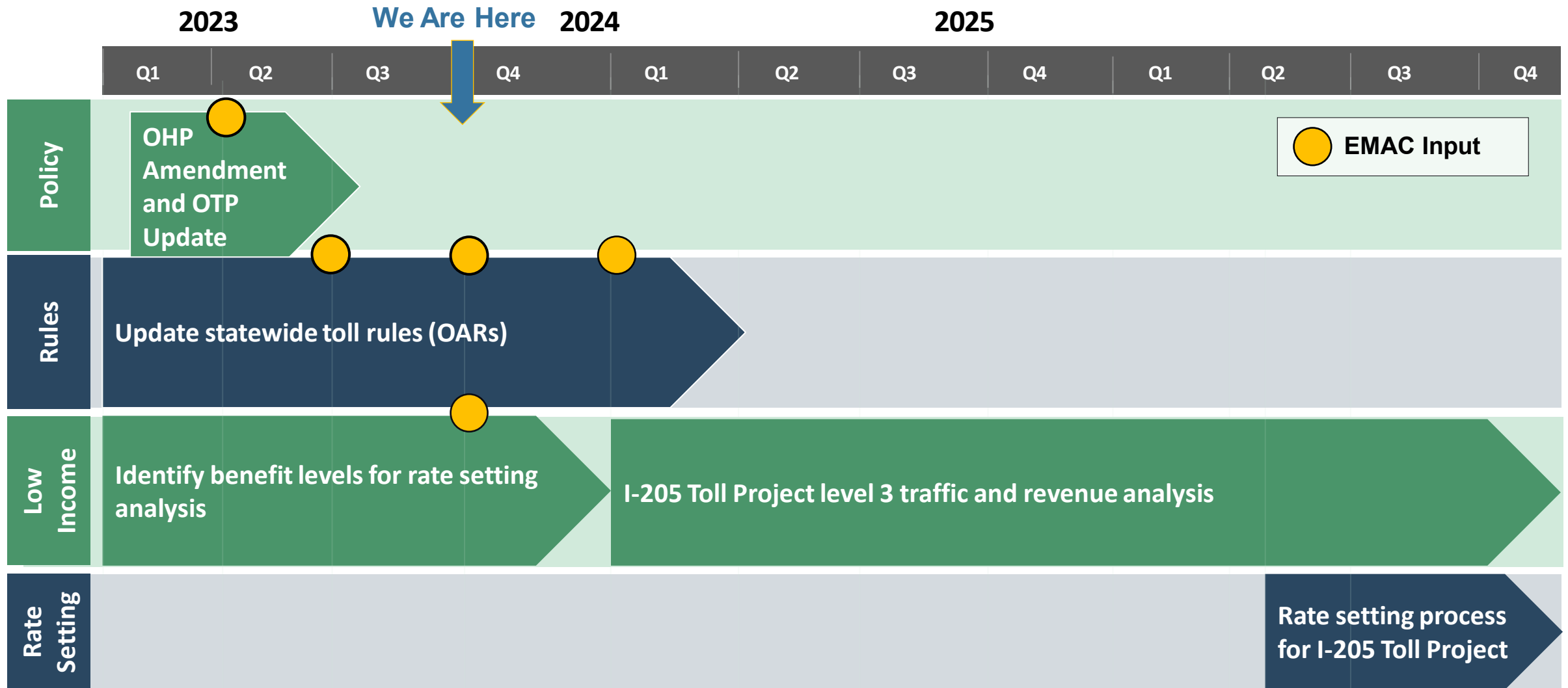
Garet Prior, ODOT

EMAC Involvement with the Low-Income Toll Program

EMAC Involvement with the Low-Income Toll Program

- History of EMAC's involvement:
 - Committee Charter
 - Equity Framework
 - Foundational Statements
 - OTC Recommendations
 - Low-Income Toll Report
- Importance of considering a smaller discount option for folks at 400% of the Federal Poverty Level (FPL)
- Transportation cost as a percentage of income, considering a broad spectrum of income types and sources
- **What else has EMAC prioritized in previous discussions?**

Low-Income Toll Program Development: Timeline



Toll Advisory Committee Roles in the Low-Income Toll Program

STRAC

- Enrollment and verification process (rules-level detail)

EMAC

- Level of benefit (25%, 50, 100%)
- Benefit type (credit, discount, or free trip)
- Enrollment process (engagement details)
- Adjustment and community involvement long-term (engagement details)

ODOT Recommendation for Low-Income Toll Program Options

By end of 2023:

- Commit to program for up to 200% of FPL and identify benefit level, with further analysis to confirm/refine
- Determine options for a 200-400% of FPL program to analyze in greater depth to allow OTC to make a decision in 2025
- Identify the geographic extent

EMAC & OTC Development of Low-Income Toll Program Options

- July 21: Joint STRAC-EMAC Workshop
- September 14: OTC reviews low-income toll options and analysis
- **October 4: EMAC input on low-income toll options and analysis**
- November 9: OTC feedback on low-income toll options
- December (early): OTC final direction on low-income toll options
- December 15: Report from ODOT/OTC due to Governor Kotek
- Early 2024: EMAC input on draft toll rules

EMAC Input for the OTC and ODOT



Customer Benefit Levels: 200% and 400% FPL Options



RECAP: July's EMAC-STRAC Joint Meeting

- Concern for the impact tolling will have on workers, small businesses, and the economy
- Need for a simple system
- Interest in discounts for people experiencing a low-income, shift workers, and youth
- Need for significant education and awareness campaign



Rationale for 200% FPL

- Ability to rely on existing service providers for income verification, similar to TriMet's Low-Income Fare Program (200% of FPL)
- 200% FPL is a common practice used by the few operating low-income toll programs
- People at this income-level face daily challenges to pay for basic survival needs
- Ability to attract certain users back to the toll facility

Rationale for an Additional Benefit Level

- Avoid a single-tier benefit cliff
- Reach customers at the minimum wage, between 200% and 400% FPL (preschool teachers, cooks, home health care, etc.)
- Attempt to not further transportation cost burden on households
- EMAC has been strongly supportive of a 400% FPL benefit-level

Further Investigation Needed for Additional Benefits up to 400%

Verification
process

Revenue
impact

Congestion
impact

Financing risk

Schedule
impact

Operations
cost

Benefit Program	Program Name	Area	State	Monthly Benefit (2023\$)	Enrollment Rate
Tolling	VDOT Toll Relief [Old]	Hampton Roads	VA	\$24	2.8%
	Low-Income Assistance Plan (Metro ExpressLanes)	Los Angeles County	CA	\$3	2.4%
	VDOT Toll Relief [New]	Hampton Roads	VA	\$28	1.2%
	San Mateo 101 Express Lanes Community Transportation Benefits	San Mateo County	CA	\$9	0.7%
Transit	ORCA LIFT	Puget Sound	WA	\$23	50%
	SFMTA Lifeline Pass	San Francisco Area	CA	\$40	45%
	Fair Fares NYC	New York City	NY	\$34	30%
	Low-Income Fare is Easy (LIFE)	Los Angeles County	CA	\$24	13%
	TriMet Honored Citizen Hop Fast Pass	Portland Metro Area	OR	\$36	10%
	LIVE RTD	Denver	CO	\$55	8%
	Metro Transit Transit Assistance Program (TAP)	Minneapolis	MN	\$25	1%
Other	Earned Income Tax Credit	National	All	\$180	79%
	SNAP	National	All	\$152	74%
	Medicaid	National	All	\$585	56%
	Low-Income Home Energy Assistance Program	State of Washington	WA	\$23	36%
	FCC Affordable Connectivity Program	National	All	\$15	25%
	FCC Lifeline	National	All	\$5	19%
	Pacific Power Oregon Low-Income Discount Program	Oregon	OR	\$8	15%

Self-Certification Research: Key Findings

- Programs that include self-certification use it as a first step to get people enrolled, but do require documentation to verify and maintain the benefit
- Fraud has been minimal, and all programs had practices to address potential fraud
- Even when self-certification is offered, customers will provide documentation to verify their income or eligibility

Analysis for I-205 Toll Project

		Value	Enrollment*	Revenue*	Traffic*
<200% FPL Options					
1	100% discount	\$115	23.0%	-6.9%	+5.0%
2	50% discount	\$45	6.0%	-0.6%	+0.7%
3	Credit	\$45	6.0%	-1.0%	+0.7%
200-400% FPL Options					
9	Credit (small)	\$5	0.5%	0.0%	0.0%
10	Credit (larger)	\$20	0.5%	-0.1%	0.0%
11	25% discount	\$25	1.1%	-0.2%	+0.1%

Discussion



- What feedback do you have for ODOT about tradeoffs between:
 - implementing an option at 0-200% FPL, and
 - getting 400% FPL off the ground?
- Should everyone pay something or is it important for there to be a free option?
- What low-income options should be studied in the toll rate setting process?

Benefit Types: Free Trips, Credits or Discount



Description of Benefit Types

- **Monthly free trips or a toll credit (\$45-\$115)** that would show up in your account on the first of the month
- **Discount (50-100%)** that would be applied on each toll transaction, and you would receive before you pay your tolls

We are going to choose one benefit type.

Feedback Received To-Date

- No clear direction on preference in benefit type
- Concerns about ability to maintain a balance on the account



Discussion



- What benefit type should we move forward with?
- What should ODOT consider to help make this decision?

Geographic Extent



Feedback Received To-Date

- Available to all Oregon residents, since the statewide impact of Portland congestion was key to developing HB2017 and current toll approach
- Request to extend into Washington
- Make this easy to administer, not overly complex



Geographic Extent of the Program

Facility	Geographic extent
San Mateo 101 Express (San Francisco, CA)	
Elizabeth River Bridge Crossings (Hampton Roads, VA)	
I-10/I-110 Express Lanes (Los Angeles, CA)	
Central 70 Express Lane (Denver, CO)	

Discussion

- What is an appropriate geographic extent for the low-income toll program?



STRAC and Rulemaking Input



Toll Advisory Committee Roles in the Low-Income Toll Program

STRAC

- Enrollment and verification process (rules-level detail)

EMAC

- Level of benefit (25%, 50, 100%)
- Benefit type (credit, discount, or free trip)
- Enrollment process (engagement details)
- Adjustment and community involvement long-term (engagement details)

Draft Rules for September and October STRAC Discussion

- Exemptions
- Low-income toll program enrollment, benefit distribution, and recertification process
- Toll rate setting and adjustments
- Vehicle classification system and pricing

Discussion



- What additional feedback do you have for your STRAC liaison, Phil Wu?

Next Steps



Outreach and Analysis to Aid OTC Decision by December 2023

- Complete preliminary traffic and revenue analysis
- Undertake analysis of implementation issues
- Continue our equity-focused engagement work
 - Toll advisory committees
 - Community Engagement Liaison Service-led discussion groups
 - Community-Based Organizations

BREAK

5 minutes

Regional Mobility Pricing Project (RMPP) Options

Jessica Stanton, Facilitator

Mandy Putney, ODOT

Josh Channell, Project Team

Option 1 – Challenges and Path Forward

- Installation
 - Requires more infrastructure.
 - Requires a minimum safe pull out for maintenance.
 - Could also require utility and communications connections and utility boxes.
- Cost and cost uncertainty
 - More expensive to build.
 - Complex system so construction may be delayed.

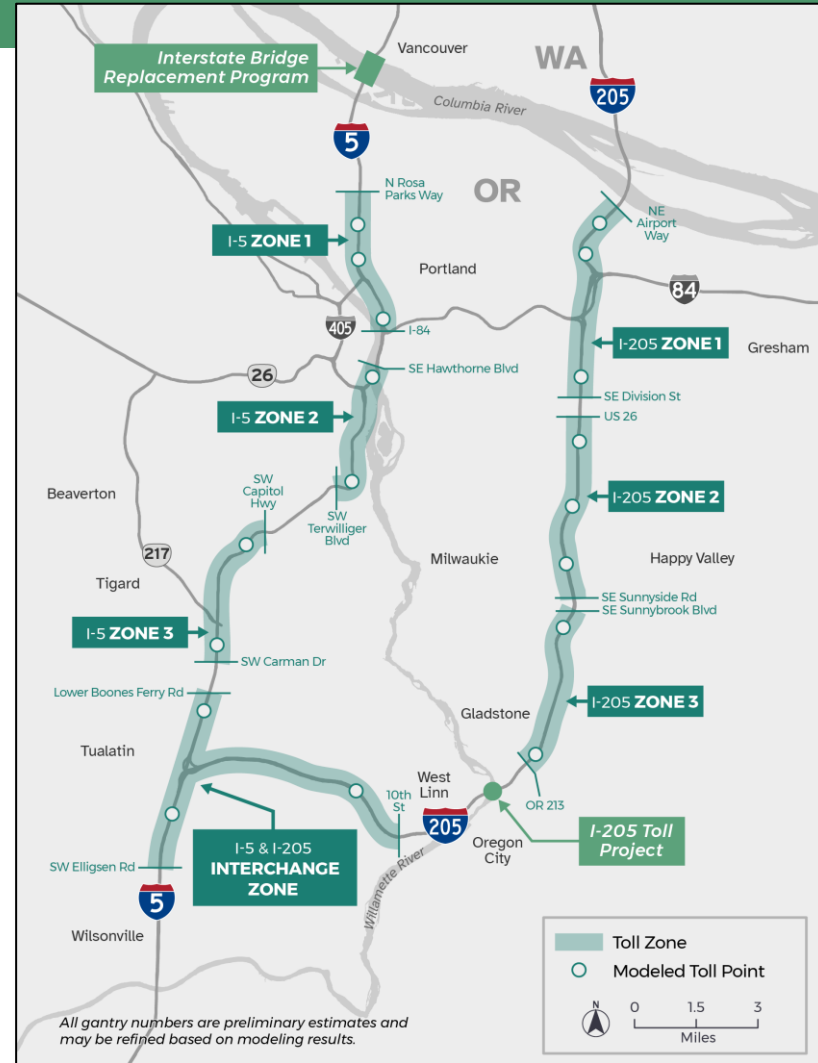
Still an option under consideration. We will consider any ideas proposed to refine this option.



Option 2a



Option 2b



Option 2 – More Analysis Needed

In initial assessment:

- Similar level of congestion management on I-5 and I-205.
- No higher level of regional diversion.
- Would result in VMT and VHT reduction.
- Mode shift to non-SOV modes similar to Option 1.
- Truck freight trips are equally or more likely to stay on highways.

Will continue to refine Option 2 based on feedback from community partners and EMAC.

Possible additional analysis under consideration

- Additional analysis of Options based on key Equity Framework identified criteria – **trip affordability, access to opportunity and community places, health and safety**
- Consider different zone configurations and toll point locations based on feedback from survey and agency partners
- High level analysis of regional driving habits
 - Do travel patterns of low-income travelers differ from other users of the transportation system?

Previous EMAC Input on Options

- Toll system needs to be **easy-to-use, easy-to-understand**.
- Perception of which option **best serves equity communities**.
- Need to better understand potential **traffic volume changes** on interstates and arterials in equity communities to better understand **potential effects to community health and safety**.
- Essential to advance a **politically viable option**.
- Discourse about whether a **base fee** or options for a **free trip** is more equitable.

Questions



- Are there any questions about the proposed plan or the analysis process?
- Does EMAC's initial input resonate with you?
- What additional information is needed to better understand and refine the RMPP Options from an equity perspective?

Upcoming RMPP Milestones

In **early 2024**, EMAC will receive an update and provide input on:

- Results from the options modeling refinement analysis
- Findings from the RMPP transportation analysis
- Potential impacts to equity populations
- Proposed mitigation strategies

Once published, EMAC will provide input on the Environmental Analysis (EA).

BREAK

5 minutes

Updates on Advancing Equity

Jessica Stanton, Facilitator

Mandy Putney, ODOT

Multimodal Investments – PTS & Nexus

Public Transportation Strategy (PTS) Updates

- EMAC's input on 8/7 shaped early assessment to organize projects by their anticipated ability to:
 - provide **equitable benefits** to people who are historically and currently underrepresented (Equity Assessment Category)
 - address impacts from toll implementation (Relationship to Congestion Pricing Category)
- Awaiting additional information:
 - I-205 Toll Project and RMPP environmental analysis, including diversion, safety and congestion findings
 - Revenue sources and timing

Nexus Projects

- RTAC received an update on the processes for developing the Nexus Project list on 9/18
- More than 200 projects submitted by 18 agencies
- Jurisdictional staff working to determine next steps
- As additional information is known about the project impacts, the list might be revised by partners

Equitable Engagement

- 14 events since our last meeting
 - Community Engagement Liaisons were able to engage the public in-language at 8 of those events
 - Plans to continue into fall/winter
- 13 CBO interviews about community resources and engagement preferences
- 8 community discussion groups



Toll Options Survey open until Oct. 9

Help us spread the word about the survey!

- Send an email to your network.
- Share the factsheet about the tolling options.
- Announce on social media or post online.
- Tell people about the survey at community events.

Feedback will help ODOT:

- Understand community priorities.
- Continue refining the project.
- Inform what's next for regional tolling.



ODOT Oregon Department of Transportation

Urban Mobility STRATEGY

Share your voice!

Help create a toll system on **I-5** and **I-205** that works for our communities.

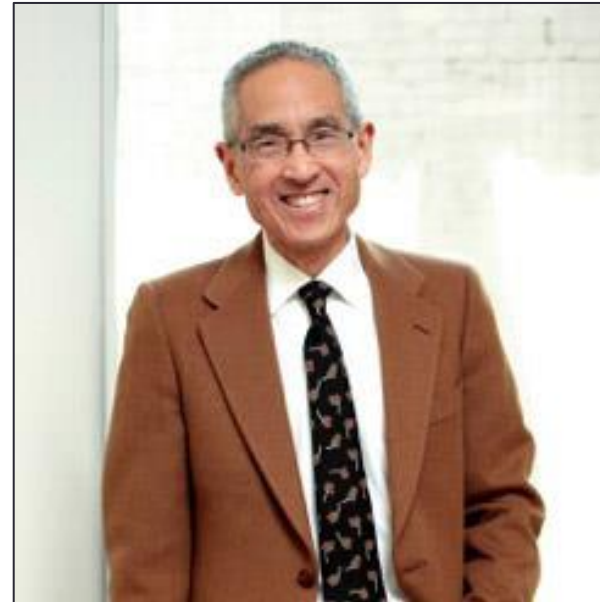
Complete an online survey by **Oct. 9**

TAKE THE SURVEY!

Toll Program Committee Updates



James Paulson
Regional Toll Advisory Committee
(RTAC)



Dr. Philip Wu
Statewide Toll Rulemaking Advisory
Committee (STRAC)

Regional Toll Advisory Committee (RTAC) Updates

- RTAC Meeting 10 – September 18
 - Reviewed and discussed RMPP Options and evaluation findings
 - Received an update on the processes for developing the Nexus Project list
 - Reviewed the Public Transportation Strategy (PTS) initial list of projects
 - Received an update on the process for developing low-income toll options
- RTAC Meeting 11 – November 13
 - Review the draft Nexus Project list and refined PTS list
 - Discuss Abernethy Bridge toll scenario trade offs
 - Review Implementation Plan outline

Statewide Toll Rulemaking Advisory Committee (STRAC) Updates

- **September 22 STRAC Meeting**

- Reviewed and discussed the draft rules for low-income toll discounts and exemptions (transit, military, emergency response)

- **October 27 STRAC Meeting**

- Review and discuss the draft rules for rate setting, adjustments and vehicle rates

- **November 17 STRAC Meeting**

- Final review and input on the draft toll rules

Public Comment



- We will start with those who are providing public comment in person. Then we will move to those who have raised their hands to comment virtually.



- We will call on you when it is your turn to speak. Please **raise your virtual hand** so the Project Team can unmute you when they call on you.

To provide comments at any time:

Email oregontolling@odot.oregon.gov with “EMAC Public Comment” in subject line to provide written comments.

Call 503-837-3536 and state “EMAC Public Comment” in your message to provide verbal comments.

Thank you for your participation.

Public Comment Discussion



Is there anything you are hearing in your communities or in the public comments that you want to discuss?

Do you have any questions for ODOT about toll project status updates?

Next Steps

- Future EMAC meetings
 - **Meeting #26 (virtual):** Wednesday, November 8, 12:00 to 2:30 p.m.
 - Previewing the implementation reports
 - Deepening understanding of ODOT tribal consultation and indigenous community engagement processes
 - Proposed updates to the Equity Framework
 - Small group discussions as-needed
- Meeting Evaluation
- Closing



Urban Mobility
STRATEGY

THANK YOU!

Equity and Mobility Advisory Committee (EMAC) Meeting 24 Public Comments

Date received	9/28/2023
Source	Project inbox
From	Jane Mathews
Subject	EMAC Public Comment

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 get more money for our roads. It is very costly especially for low income and disabled. Please stop this idea. Thank you for listening to me.

Date received	8/18/2023
Source	Project inbox
From	David Hackleman
Subject	EMAC, RTAC and STRAC

It continues to amaze me that instead of a completely direct tax exactly relating to road wear isn't implemented instead of all the current and planned ideas. For nearly a century, it has been clear that there is a direct correlation between tire wear and road wear. What is keeping Oregon and the US from simply implementing an appropriate tax on tires? Tires are the only thing that all vehicles that use roads have in common. This implemented as a replacement to fuel taxes and tolls would eliminate all the issues currently faced. Sad that evidently something so simple cannot be accomplished.