

Oregon Statewide Toll Rulemaking Advisory Committee *Charter*

This Charter lays out the charge, scope, and expectations for the Oregon Statewide Toll Rulemaking Advisory Committee (STRAC) and is intended to create common understanding about how the STRAC members will provide constructive input to Oregon Department of Transportation (ODOT) on behalf of the voices they represent, with an emphasis on social equity.

Background

As Oregon moves forward with its Toll Program, Oregon Administrative Rules for tolling (OAR 731.040) must be updated to implement new transportation policy and operationalize the toll program. This includes statutory requirements from HB 2017 (2017), HB 3055 (2021) and policy direction from the Oregon Transportation Commission (OTC).

The introduction of tolling carries the goals of reducing costs of travel delays, lowering greenhouse gas emissions, and addressing inadequate revenue for infrastructure investments. Tolling also will increase financial costs for those who use the system. The creation of rules for tolling requires balancing the benefits with the burdens of these costs. Tolling is part of a complex financial system that involves other revenue streams, as well as contracts between the State of Oregon and bondholders.

Equity Statement

ODOT embraces diversity and equity, fostering a culture of inclusion as a core value. We recognize the need to engage historically marginalized people and communities in conversations and decisions that affect their lives. The STRAC membership intentionally reflects Oregon's racial, ethnic and ability composition, and a balanced representation of people impacted by the Toll Program. Equity will be prioritized throughout the rulemaking process by applying a social equity lens to issues, in accordance with the [Toll Projects' Equity Framework](#).

Charge and Responsibilities

Purpose and Scope

The purpose of the STRAC is to advise ODOT on the development of rules that modernize and align with legislative changes and add needed clarity about toll operations in an equitable, effective, and credible manner. While there are many aspects to tolling in Oregon, the scope of

the STRAC is limited to the OARs. These rules will have statewide application, not just in the Portland Metro area (e.g. I-205 Project). The STRAC's work will be in accordance with state statutes and Oregon's rulemaking process, and in alignment with Oregon's Toll Program Equity Framework, the principles and policies set by the OTC in the Oregon Highway Plan and other direction (congestion, revenue, climate and equity), and HB 2017 and HB 3055 mandates.

The STRAC's task will involve understanding and weighing a constrained set of tradeoffs between benefits and costs, while addressing equity. Specifically, the STRAC will provide input on ODOT proposed OAR language that includes:

- Rules that address customer accounts and how they interact with the system, such as:
 - the types of accounts they can open and methods of payment
 - collection and enforcement methods, and civil penalties
 - how to dispute charges
- Rules that establish the process for how rates are set or adjusted, such as:
 - how and when rates are reviewed and adjusted
 - rate structures and schedules, including categories of vehicles and peak times
 - discount rates and exemptions (what these include and who is eligible)

The STRAC will also have an opportunity to review and provide input on the preliminary rate schedule for the I-205 Abernethy and Tualatin River bridges that is being developed as a part of the NEPA process. STRAC input will be considered as ODOT begins work on the investment grade traffic and revenue analysis for the I-205 toll project and finalizes the toll rate structure.

Out of Scope

The following are out of scope for the STRAC:

- Advising the OTC, Oregon Legislature, or Governor's Office on policy or legislative changes.
- Creating or advising on tolling policy, criteria, or principles to govern toll program or rates.
- Directing the use of toll revenue or recommending investments in the transportation system and services to mitigate the impacts of tolling.
- Setting system performance targets.

Guiding Principles

The following principles will guide the STRAC's interactions with each other and ODOT.

Respectful dialogue: Foster constructive conversation, where differences are appreciated, and all experiences and expertise are valued. Assume good intent and support each other.

Community representation: Honor and reflect community interests, including advocating on behalf of shared core values in a deliberate and thoughtful way.

Equity considerations: Consider historical context and demonstrate commitment to equity and inclusion in discussions, actions, and outcomes.

Holistic view: Set aside personal agendas and strive for solutions for the common good of Oregon.

Common ground: Strive to find middle ground to resolve issues and form unified recommendations.

Forward-thinking: Adapt and course-correct in response to new information. Imagine future possibilities and plan for the long term.

Membership and Expectations

Membership

The committee is comprised of members representing various impacted interests, including:

- Residents/Commuters/Customers
- Equity and low-income interests
- Environmental and climate interests
- Transportation reliant businesses
- Trucking and delivery industry
- Liaisons with Equity and Mobility Advisory Committee and Regional Toll Advisory Committee

The STRAC may form sub-committees as needed to address various aspects of the rulemaking process.

See Attachment A for Current Member List

Expectations

Members shall conduct themselves in a professional manner and adhere to the following expectations:

- Complete approximately 6-8 hours of onboarding, orientation and trainings (topics may include but are not limited to: Oregon Toll Program overview, Oregon's rulemaking process, social equity).
- Be open, transparent, inclusive, and accountable in all actions; bring forward the various perspectives of those represented.
- Adhere to the highest ethical standards in the work and deliberations of the STRAC.
- Commit to using informed judgment and thoughtfulness in decision-making.
- Commit the time necessary to fully engage and participate in all meetings and assignments.

- Accept and be willing to help implement Oregon's Toll Program.
- Develop a general understanding of Oregon's Toll Program and Equity Framework including Oregon's tolling statute (ORS 383), existing Oregon Administrative Rules (OAR 731.040), and Oregon Highway Plan policies related to tolling.
- Uphold the Guiding Principles identified in this Charter.

Members who do not follow these expectations may be replaced at the discretion of ODOT.

Meeting Structure and Operations

Open Meetings

Meetings of the STRAC are open to the public and will be livestreamed by ODOT. Notice of the meetings, agendas, and meeting materials will be posted in advance of meetings on the Oregon Toll Program website. Members of the public will have an opportunity to submit feedback in writing via email to OregonTollRules@odot.oregon.gov and comments be distributed to STRAC members on a regular basis as part of meeting packets.

Meeting Operations

Regular meetings will be held monthly or bimonthly. Sub-committee meetings, if needed, will be coordinated with sub-committee members. Meetings will be scheduled, hosted and facilitated by ODOT's consultant, Kearns & West.

Meetings will be virtual via Zoom. To be most effective, members are strongly encouraged to use their cameras. Meetings will be recorded for documentation and in conformance to public records law.

Agendas and materials will be provided to members withing five business days of scheduled meetings. Meeting notes will be provided to members within ten business days of meetings.

Documents will be shared using Sharepoint.

Meeting Attendance

Each member must make a good faith effort to prepare for and attend each meeting. If a member is unable to attend a scheduled meeting, the member is responsible to ensure any assignments are completed and any input on discussion topics is submitted to the facilitator prior to the meeting, to be considered during the meeting. Members may not designate an alternate to participate but can send an alternate to listen and take notes.

Meeting Ground Rules

- Honor the agenda or modify by agreement.
- Listen carefully with empathy; keep an open mind.

- Focus on content, not delivery; assume good intentions.
- Ask questions to clarify and understand; be curious about differing opinions.
- Be conscious of speaking time; allow others to speak and contribute.
- Avoid side conversations or other distracting behaviors.

Authorities and Input Process

Rulemaking Authority

- ODOT has authority to propose OARs for tolling.
- OTC has authority to set statewide toll policy in the Oregon Highway Plan and Oregon Transportation Plan and to approve the OARs.
- Oregon Secretary of State has authority to enact the OARs.

STRAC Input Process

A rule advisory committee's purpose is to provide feedback to ODOT on the rule(s) as drafted and the anticipated fiscal and equity impact (positive or negative) the rules may have on the committee member's peer group or community represented. The STRAC strives to develop advice and recommendations by consensus, with a spirit of collaboration. Consensus means that members can live with the recommendation – the recommendation is consistent with members' interests and can be supported by the members.

If the STRAC cannot reach consensus on a recommendation, the outcome of the discussion will be documented, reflecting the diverse interests represented among members. The STRAC facilitator and ODOT staff will carry forward the documented outcome along with a recommended course of action to the appropriate ODOT decision maker. The inability to reach consensus on any one issue should not influence the effectiveness of the STRAC's work on remaining issues and will not stop the process from moving forward.

The STRAC will not revisit topics unless critical new information is presented that changes the course of the work.

Stakeholder Groups and Engagement

Stakeholder Groups

The STRAC is one of multiple committees working on different aspects of the Oregon Toll Program. Key groups providing Toll Program inputs include:

- Regional Toll Advisory Committee (RTAC): This committee provides a forum for individuals within the Portland metropolitan region to provide feedback to ODOT leadership about key issues impacting the region, including expediting the Regional Mobility Pricing Project,

diversion impacts and mitigation, transit and multimodal resources, and coordination of the I-205 Toll project.

- Equity and Mobility Advisory Committee (EMAC): This committee is developing the framework for ensuring equity in tolling.
- Interstate Bridge Replacement Program – Executive Steering Group (ESG): This group is analyzing tolls in a bi-state context (Oregon-Washington) and the STRAC work could impact that or vice versa.

See Attachment B for information on targeted Toll Program inputs.

Engagement

The rules subject to the STRAC’s advice will affect all those who use and benefit from tolled facilities. Specific types of stakeholders include:

- Businesses who use the transportation system anywhere in Oregon have an interest in the outcome of tolling.
- Commuters of various socio-economic statuses will be impacted.
- Interest groups, including both regional groups in the vicinity of the I-205 and I-5 corridors as well as statewide groups representing system users, have an interest in the outcome of tolling.

Communities across Oregon and the elected officials who represent them will be impacted by tolling and will bring forward their community interests and concerns.

Engagement activities will be planned and implemented by ODOT and its consultants in conjunction with the rule development process. Once the proposed rules notice is officially filed with the Secretary of State’s office, a public hearing will take place, open to anyone.

Schedule

The overarching goal for the STRAC is to have the proposed rules for toll accounts, customer interaction, and toll rate structure ready for Oregon Transportation Commission adoption by spring of 2024 to align with the I-205 Toll Program.

See Attachment C for an overview of the Oregon rulemaking process and Attachment D for the planned rulemaking schedule.

Agreement and Adoption

By their signature, the parties below fully adopt and agree to abide by this Charter.

Members

Printed Name	Affiliation	Signature
1. Elizabeth Mazzara Myers	Westside Economic Alliance	
2. Ethan Hasenstein	Knife River Corporation	
3. Jeff Spiegel	Penske Truck Leasing	
4. Lanny Gower	XPO Logistics	
5. Lauren Poor	Oregon Farm Bureau	
6. Marc Ortega Kilman-Burman	American Medical Response (AMR)	
7. Marie Dodds	AAA Oregon/Idaho	
8. Michael Card	Combined Transport Inc.	
9. Nafisa Fai	Region Toll Advisory Committee (RTAC) Washington County Commission	
10. Omar Cruz	May Trucking	
11. Park Woodworth	Ride Connection	
12. Philip Wu	Equity and Mobility Advisory Committee (EMAC)	
13. Sean Philbrook	Identity Clark County	
14. Shannen Knight	A Sight for Sport Eyes	
15. Sharla Moffett	Oregon Business and Industry	
16. Shatrine Krake	West Linn Chamber	
17. Susan Nelson-Ellis	First Student	
18. <i>To be determined</i>	<i>Legislative Commission on Indian Services</i>	

ODOT Staff & Consultants

Printed Name	Role	Contact Info	Signature
Kris Strickler	ODOT Director		
Travis Brouwer	ODOT Assistant Director - Revenue, Finance & Compliance		
Jamie Damon	ODOT Consultant - Kearns & West		
Madeline Kane	ODOT Consultant - Kearns & West		
Maureen Bock	ODOT Toll Program Manager		
Garet Prior	ODOT Toll Policy Manager		