Meeting #3 Summary: Statewide Toll Rulemaking Advisory Committee (STRAC)

The Oregon Department of Transportation (ODOT) convened a committee of people from across the state to help develop Oregon Administrative Rules (OARs) that will determine how customers will interact with and use tolling systems and how toll rates will be set and adjusted. The STRAC held its third meeting on March 24th, 2023, to continue the committee's work in developing rules relating to customer accounts and payment processing.

The meeting was held virtually and hosted over Zoom. The meeting was live-streamed via YouTube and closed-captioned was provided.

The objectives of the meeting were to:

- Understand the current stage of the committee's work in the rulemaking process, including the expected timeline and process for Oregon Transportation Commission decision-making.

- Build upon past STRAC member input and share common practices in the tolling industry to inform STRAC member feedback on draft rules relating to customer accounts and payment processing.

- Share and gather feedback on the community engagement plan to inform the rulemaking process.

- Understand the role and status of the other toll advisory committees.

Meeting Attendance

The meeting recording is on the Oregon Toll Program's [YouTube channel](). The meeting was live-streamed on YouTube and has 88 views to date.

| STRAC Project Team	Committee Members
- Travis Brouwer - Phil Miller - Kelly Bruce - Hannah Williams - Jamie Damon - Madeline Kane - Bianca Valdez - Amira Streeter	- Elizabeth Mazzara Myers - Ethan Hasenstein - Lanny Gower - Lauren Poor - Marc Ortega Kilman-Burman - Marie Dodds - Michael Card - Commissioner Nafisa Fai - Omar Cruz - Park Woodworth - Dr. Philip Wu - Sean Philbrook - Shannen Knight - Sharla Moffett - Jeff Spiegel Absent: - Shatrine Krake

Presentation Topics and Discussion, Welcome and Introductions

Introduction & Welcome

Jamie Damon, facilitator, opened the meeting and welcomed attendees and viewers. She provided instructions on accessibility tools and how the public can submit their comments. Jamie confirmed the attendance of STRAC members, reviewed the agenda, and shared meeting guidelines and objectives. To center the committee, Jamie asked the members to answer two trivia questions: Which country has the highest number of toll roads, and which country has the least number of toll roads?
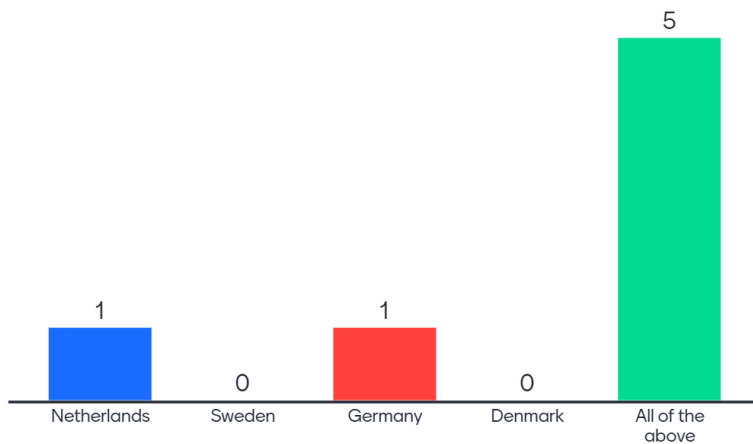
1. Which country has the most toll roads?

Mentimeter
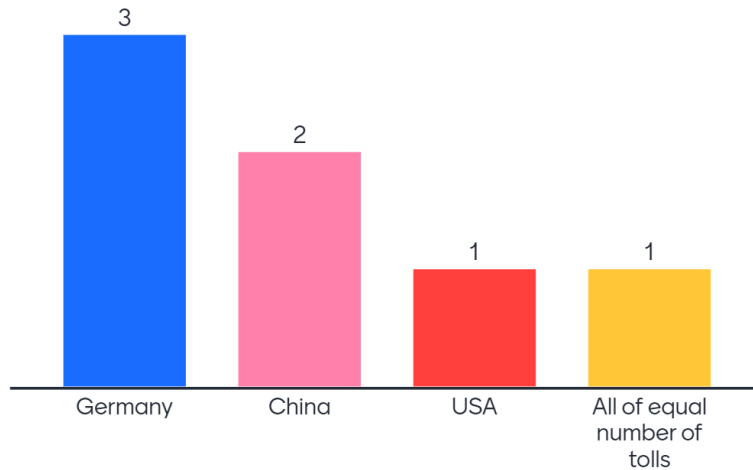
2. Which country has the least toll roads?

Mentimeter

Travis Brouwer provided welcoming remarks and highlighted the importance of the STRAC members' role in developing the administrative rules. Travis also shared his appreciation for the questions and comments provided by STRAC members at the last meeting and for their continued dedication.

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Where We've Been and Where We're Going

Jamie Damon shared the STRAC engagement process and explained the "Level 2" meeting objectives are to read and react to current draft rules. The subsequent "Level 3" meetings will focus on refining draft rule language.

Kelly Bruce then presented the rulemaking process timeline to provide context for how the STRAC's work fits into the larger process. She explained that the STRAC's focus is to aid ODOT in developing draft rules, which includes input from the Oregon Department of Justice (DOJ) and the public. She noted that these rules will likely evolve throughout the process. The Oregon Transportation Commission (OTC) will make the final decision on the rules.

Customer Accounts and Payment Processing: Common Practices

Community Feedback

Dr. Philip Wu, STRAC and Equity and Mobility Advisory Committee (EMAC) member, shared feedback that the community and EMAC has provided to ODOT on customer accounts and payment systems.

Customer Accounts and Payment Processing for Frequent Users

Phil Miller then presented what toll accounts would look like for frequent users of the electronic toll system. He explained the account details for daily commuters, commercial vehicles, and business users.

Phil shared and reviewed a chart that detailed and compared common features in sample electronic toll accounts from other states. He then presented a map demonstrating the many states utilizing electronic tolling.

The committee then offered feedback and questions.

Question: A STRAC member asked about the states in the comparison chart and noted that the state of Texas is another good example of electronic tolling. They noted that many personal users might not prefer a prepaid account and commercial users might not want to tie up revenue with prepaid accounts, especially when rates are variable and unpredictable. He noted that commercial users may prefer to receive a monthly invoice.

Response: Phil Miller responded that the STRAC member brought up a valuable user preference and noted accounts that are not pre-paid may incur additional invoicing fees.

Comment: Another STRAC member stated their preference for using EZPass and noted the importance of maintaining consistency and interoperability between systems. They recommended that ODOT connect with third-party administrators, so that fleets do not experience a significant transition into a new system and that interoperable systems are active as soon as tolling begins.

Response: Phil Miller thanked the committee member for their feedback and committed to connecting with third-party administrators.

Question: A STRAC member noted they were glad that ODOT is not considering partnering with police on toll enforcement, and asked what methods ODOT is considering for ensuring compliance.

Response: Dr. Phil Wu stated that the EMAC has concerns with imposing criminal penalties for unpaid tolls. He noted that members of the Black, Indigenous, and People of Color (BIPOC) community historically do not have the best relationship with the criminal justice system thus emphasizing the importance of separating tolling enforcement from the criminal justice system.

Response: Phill Miller added that the invoice program was born out of the enforcement mechanism and that all users are considered customers. He explained that one option is to possibly withhold vehicle registration as a method to ensure compliance.

Question: A STRAC member asked if the sticker that ODOT is planning to use will apply across all states and if multiple transponders will be needed to pay different tolls in Oregon.

Response: Phil Miller responded that ODOT is working to assist drivers so that they only need to have one account.

Question: A STRAC member asked about how interoperability between states would work, and if ODOT will be sharing registered plates with other states.

Response: Phil Miller responded that the typical practice is to exchange information between transponders and active accounts, and that registration and pre-pay status may impact fees.

Question: A STRAC member shared concern about toll evasion and stolen or fake license plates. They asked if there was any intention of tracking the fake or stolen plate information. They also questioned whether ODOT has considered what to do when there is a transition in license plates from owners, and the use of cash apps like Google or Apple Pay.

Response: Phil Miller responded that ODOT is working to ensure they have the best technology for capturing information.

Comment: A STRAC member noted that meeting materials stated that currently 11% of license plates are going unread. They suggested that there should be a discount for reading the plate only if the chance of being captured is 100%.

Comment: Another STRAC member shared their concern about the impact to low-wage workers for not having access to credit cards or the internet. They also noted that only a few states listed in the comparison table provide low-income programs. They asked if ODOT is considering providing incentives/discounts for employers or residents that live close to tolled routes.

Comment: Another STRAC member shared the same concern about the lack of low-income programs in other states and was curious about how other states built their systems.

Response: Phil Miller responded that many current toll operations in other states have been operating since the 1940s and may not have been constructed with an equity focus. He added that the majority of the tolls are publicly owned.

Question: A STRAC member asked that the project team provide a map of the currently planned tolling projects.

Response: Travis Brouwer committed to providing a map.

Follow-up information: [Link to projects map and fact sheet](#).

Comment: A STRAC member expressed confusion about the term "congestion pricing", and the need for tolling during times when the interstate is not experiencing congestion. They noted the impacts that tolling will have on people who rely on tolled roads to access resources. They asked if municipal buses or emergency vehicles will be tolled.

Response: Travis Brouwer thanked the committee member for expressing their concerns and responded that I-5 and I-205 in the Portland metropolitan area will be tolled with congestion pricing. The objective for tolling is to manage congestion and fund improvements. ODOT is aware of the impact that tolling will have on many people and is still considering who will qualify for discounts or exemptions.

Comment: A STRAC member shared their concern about congestion pricing from a commercial vehicle perspective, as they are responsible for a schedule that is driven by delivery times.

Question: A STRAC member asked about the required Highway Cost Allocation Study (HCAS).

Response: Travis Brouwer responded that the HCAS will be a part of the evaluation for how freight and commercial vehicles are charged in tolling.

Typical Electronic Toll Account Features

Phil Miller then shared common features of typical toll account features including pre-paid accounts, types of transponders, and account maintenance.

Customer Accounts and Payment Processing for Frequent Users

After a short break, the committee reconvened, and Phil Miller presented what toll accounts would look like for infrequent users of the electronic toll system. He explained the account details for vacation and business visitors, unexpected users, drivers moving or traveling, and non-account holders.

Comment: A STRAC member shared that many people from equity communities may have questions and concerns with prepaid accounts and that they hope that accommodations will be made for billing. They also asked if ODOT is considering options like two free trips per month for certain users.

Response: Phil Miller responded that those topics will be considered.

Question: STRAC members asked for more information about how the system will work for frequent users like rideshares and employees required to use the interstate and wondered if there could be a maximum fee.

Response: Phil Miller responded that there will be a range of options for frequent and infrequent users, and ODOT will be looking to other states for examples.

Comment: A STRAC member recommended that when sharing toll rates, ODOT should also share the additional potential fees so people have a realistic expectation of what they may need to pay.

Response: Phil Miller responded that there will be toll rate signs through the various times and that there will be two rates posted, one with the prepaid rate and one with the invoice rate.

Question: A STRAC member asked what an auto-replenishing account would look like.

Response: Phil Miller responded that a typical arrangement would be to have between $20-30 in the account and that amount gets replenished monthly. He added that there is room to adjust the rules and make room for customer accommodations.

Question: A STRAC member asked when ODOT will have agreements with third-party administrators and if there will be a mobile application when tolling begins.

Response: Phil Miller responded that ODOT is currently in discussion with third-party administrators and the plan is to have web services that can be used on mobile devices on opening day of the program.

Customer Accounts and Payment Processing Draft Rule Review

Kelly Bruce introduced the current draft rules and explained the difference between Oregon Administrative Rules and the Frequently Asked Questions (program operations) document. The committee offered the following comments and questions:

- Define interoperability and how ODOT will operate in coordination with other states.

- Consider term consistency and synonyms for the use of the term transponders, and to the degree possible utilize plain language.

- Clarify payment methods to include debit cards, differentiate between bank and guarantee drafts, and could include cash apps.

A full accounting of the comments and questions raised is noted in the draft rules.

Community Engagement

Approach to Community Engagement and Committee Coordination

Hannah Williams presented the project team's approach to community engagement and shared the engagement timeline, audiences, and the process for bringing feedback to the STRAC. She shared how the STRAC team will coordinate with other toll advisory committees. STRAC received an update on the timing of toll upcoming toll advisory committee meetings and the extension of the I-205 Toll Project comment period.

Committee Report Outs

Dr. Philip Wu and Commissioner Nafisa Fai provided updates about the work of the EMAC and the Regional Toll Advisory Committee (RTAC). The project team provided an opportunity for the committee to offer comments and ask questions.

Question: A STRAC member asked if there will be any community engagement activities in Southwest Washington.

Response: Hannah Williams confirmed there has been and will continue to be. She welcomed any feedback on specific people to contact.

Question: A STRAC member asked if there will be signage along the interstates informing the public about tolling.

Response: *Travis Brouwer confirmed that ODOT's goal is to clearly inform the public about the tolling start date, locations, and rates. Travis Brouwer confirmed that ODOT's goal is make sure that tolling is public, and share when tolling will begin, where it will be, and what the rates will be.*

Question: A STRAC member asked if the committee would discuss enforcement at future meetings.

Response: *Travis Brouwer confirmed that enforcement is a key topic at future meetings.*

Wrap-Up and Next Steps

Jamie Damon shared that the next STRAC meeting is on April 28, 2023, from 9:00am to 12:00pm. She noted that STRAC members will receive a meeting evaluation form.

Travis Brouwer thanked STRAC members for their valuable feedback and dedication.

The meeting adjourned at 12:00pm.