

Summary of Feedback: Low-Income Tolls, Vehicle Rates, Discounts/Exemptions, and Toll Rate Setting and Adjustments

STRAC & EMAC July 21 Joint Workshop Materials

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This document contains a summary of the feedback received to date by the Equity and Mobility Advisory Committee (EMAC) and by engagement efforts for the I-205 Toll Project and Regional Mobility Pricing Project. The feedback below represents key takeaways ODOT has heard to-date on the following topics:

- Low-income tolls
- Rates for different vehicle types
- Discounts and exemptions
- Toll rate setting and adjustments

Equity and Mobility Advisory Committee

The Equity and Mobility Advisory Committee (EMAC) advises ODOT and the Oregon Transportation Commission (OTC) on centering equity in the approach to the I-205 Toll Project and Regional Mobility Pricing Project. In direct response to their charge, EMAC developed the document, [“Shaping an Equitable Toll Program: Recommendations to the Oregon Transportation Commission.”](#) The following are excerpts from this document that connect with topics raised in rulemaking:

Foundational Statements

The Foundational Statements will serve as building blocks for the Equity and Mobility Advisory Committee’s (EMAC) recommendations to inform commitments from ODOT and the Oregon Transportation Commission (OTC) to advance equity through the Oregon Toll Program.

- 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.

- 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.
- 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).
- 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.
- 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.
- Equitable benefits that are offered in Oregon must extend into Southwest Washington.
- 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.

Rate setting, monitoring and adjustments

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.

Low-income toll program: education, enrollment, and adjustments

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:

- 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.

Rate setting process and rulemaking

To center equity in the important rulemaking 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.²

- 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.

Long-term oversight and accountability

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.

Discounts and exemptions

- Provide exemptions for registered vanpools and carpools to promote ride sharing.
- Provide credits, exemptions, or discounts for nonemergency medical transportation, and support social service or nonprofit health organizations in their efforts to recruit and retain volunteer drivers.
- Find the right balance between discounts and/or exemptions and revenue generation to advance equity. Specifically, analyze the trade-offs between exemptions, credits, or discounted rates based on income versus collecting the toll revenues and investing them into equity and mobility strategies.

Low Income Toll Report

The following is a list of “implementation practices” that were identified in the Low Income Toll Report and were based on EMAC’s recommendations and the analysis of practices to promote inclusion, accessibility, and enrollment:

- Support a monitoring, review, and adjustment process for the low-income toll program that includes community voices and a process that is aligned with the Oregon Toll Program’s Equity Framework.
- Offer education opportunities, additional time to pay toll charges, and multiple notices of account balances, and/or set a maximum penalty amount.
- Consider equity implications in the process for penalties that users are subject to for toll violations (i.e. initial penalty followed by a failure to comply penalty).
- Further work is needed to identify the administration cost and operational viability for each of these practices. This information is necessary to guide the selection of options that advance equity and are cost effective.
- Provide free transponders and work with community-based organizations to help enroll people.
- Do not require a minimum dollar amount of balance to load or maintain the account.
- Provide a cash-based option for toll payment.
- Conduct extensive marketing, promotion, and engagement with community-based organizations that begins at least six months before tolling starts. Post signage to help travelers make informed decisions.
- Create an in-person and online enrollment process that accommodates participants with disabilities, who have limited technology access or training, who speak languages other than English, or who live far away from existing service centers.

Community and Equity-Focused Engagement

ODOT has connected with thousands of people through public comments, surveys, discussion groups, meetings with advisory and transportation committees, public meetings, tabling, and community briefings. This information is pulled from comments, letters, and survey responses collected during engagement efforts for the I-205 Tolling Project and the Regional Mobility Pricing Project. Community members have not been directly asked about the specific subjects

under consideration in this part of rulemaking, the information provided reflects some of the concerns and ideas we've heard.

Key documents include:

- [2020 Summer – Fall engagement for the I-205 Project](#): 4,644 comment submittals received through an online survey and via email, voicemail, letter, and during webinars and presentations.
- [2021 Summer engagement for the Regional Mobility Pricing Project](#): 6,503 responses received through an online survey, and 428 comments via email, briefings and presentations, committee meetings, letters, voicemail, and web comment form.
- [2022 Spring engagement for the Regional Mobility Pricing Project](#): 12,114 responses received through an online survey, and 109 comments via emails, voicemail, and web comment form.
- [2022-2023 NEPA Scoping engagement period](#): 4,459 comments submitted through web comment forms, emails, voicemails, and letters.

Toll rate setting and adjustment

Comments submitted during 2020 Summer-Fall I-205 engagement:

- Many respondents suggested that some users should pay different rates than others (for example, locals and low-income drivers should pay less while higher-income, freight, and out-of-state drivers should pay more).
- Many respondents had concerns about the duration of the toll collection. Some expressed a preference for tolls to sunset after the roadway improvements are completed. Others expressed a concern that toll rates would continue to rise after implementation.
- Some respondents expressed preferences for how variable-rate tolls would be assessed: income-based, need-based, trip length, trip purpose, vehicle type, or other criteria.
- Some respondents said that variable-rate tolls are too complex and difficult to understand. Some expressed a need for clarity on pricing in advance of their trip. Suggestions included advanced signage before the tolled segment or integration with navigation systems to include toll costs in route suggestions.

Comments submitted during 2021 Summer engagement for the Regional Mobility Pricing Project:

- Regional government agency staff rates that reflect responses to inflation and actual traffic data collected after tolling is implemented.
- Many comments during discussion groups about considerations for setting the toll rate, including:
 - Suggestion to charge one toll rate, no matter the time, considering that some drivers do not have the ability to change their travel times.
 - Offer a monthly rate or pass for those who need to drive frequently.
- Community-based organizations and business groups briefing participants expressed interest in how frequently toll rate adjustments would be assessed.
- Commenters shared questions about how the toll system would be implemented, and toll rates or discounts. Several had questions about both the process for setting toll rates, the expected cost, and inquired about discounts for certain groups.

Comments submitted during 2022 Spring engagement for the Regional Mobility Pricing Project:

- Overall, respondents were strongly opposed to setting a minimum fee, with 70% of respondents marking that they either strongly disagree or disagree with a toll minimum, compared to 23% marking that they strongly agree or agree. Many of the respondents (59%) marked that they strongly disagree with setting a minimum toll fee.
- More respondents agreed with setting a daily or monthly maximum toll though responses were highly polarized. Overall, 48% of respondents marked that they strongly agree or agree with a setting a toll maximum, compared to 40% of respondents marking strongly disagree or disagree. Notably, in some discussion groups and in a few of the write-in responses, several participants misinterpreted a toll cap as a limit on the total number of trips that a person would be able to take and expressed concern about limiting mobility this way. It is possible that this misunderstanding contributed to the number of respondents who marked disagree or strongly disagree.
- Respondents were generally not supportive of paying higher tolls to support community-identified priorities, such as improved sidewalks or transit facilities near the tolled highways. Overall, 66% of respondents did not agree with this suggestion, with 58% marking strongly disagree.

- About 1,250 comments addressed tolling implementation. Comments about the cost of tolls generally indicated support for lower toll rates; however, some comments supported charging higher tolls to improve roadway capacity and to reduce vehicle-miles traveled. The comments also indicated differing opinions about whether there should be a single rate paid by all users or variable rates that fluctuate with traffic conditions and discounts or credits for certain populations,

Comments submitted during 2022-2023 NEPA Scoping comment period for the Regional Mobility Pricing Project:

- Some commenters made assumptions about the rates that are under consideration or that rates had already been determined.
- Approximately 620 comments addressed tolling implementation, including comments about rates:
 - Several commenters said that \$2 for congested areas is too expensive, especially if users are tolled for traveling to and from their destination.
 - Several commenters proposed higher toll rates for out-of-state drivers and freight drivers.
- About 2,100 comments addressed the Proposed Action and the No Action Alternative. Of these comments, a few commenters expressed support for a rate structure that would charge a fee by distance traveled.

Vehicle rates

Comments submitted during 2020 Summer-Fall I-205 engagement:

- A few commenters said freight should pay a higher toll rate based on weight, while others said existing freight fees should be reduced if tolls are implemented. Others said delivery drivers should receive an exemption.
- A few respondents suggested that rates should be set based on the type or size of the vehicle, or the purpose of the trip.

Comments submitted during 2021 Summer engagement for the Regional Mobility Pricing Project:

- In a conversation with EMAC, committee members suggested providing incentives for non-single occupant vehicles such as carpooling, ride-share, and transit riders.

- Many comments during discussion groups about considerations for setting the toll rate, including:
 - Charge electric vehicles an additional fee because they do not pay the gas tax.
 - Consider providing a higher fee for trucks or restricting truck use during peak periods.

Comments submitted during 2022 Spring engagement for the Regional Mobility Pricing Project:

- In the 2022 survey, respondents did not indicate support for providing discounts or credits to other vehicle types. When asked about potential discounts for vehicle types, many respondents marked either all passenger vehicle types pay the same toll rate (29%) or none of the above (25%). Of the vehicle type options, significantly more respondents preferred discounts or credits for carpool vehicles (26%) compared to electric vehicles (11%) or rideshares (2%).
- About 1,250 comments addressed tolling implementation, including discounts for specific vehicle types. A few respondents said that there should not be discounts for electric vehicles, noting that they affect the roads and use the same amount of space as standard vehicles.
- A few respondents said that motorcycles should get discounts.

Comments submitted during 2022-2023 NEPA Scoping comment period for the Regional Mobility Pricing Project:

- A few respondents commented that freight truck drivers already pay high fees for driving and tolling would have a negative impact because those costs would be increased to use the highway during business hours.

Discounts and exemptions

Comments submitted during 2020 Summer-Fall I-205 engagement:

- Several respondents suggested that residents local to West Linn or Oregon City should be exempt from paying the toll.
- Some respondents suggested that certain trip purposes—such as shopping, commuting to school or work, or accessing medical care—should be discounted or exempt from paying the toll.

- A few commenters said freight should pay a higher toll rate based on weight, while others said existing freight fees should be reduced if tolls are implemented. Others said delivery drivers should receive an exemption.
- Many comments proposed that drivers from out of state should be charged differently. Some proposed that the toll should target those traveling across state lines by tolling near the Columbia River on both the I-5 and I-205 bridges.
- Some respondents were concerned about the potential impacts to the available workforce. Others were concerned about low-income earners who have relocated from the Portland area to Vancouver, Washington for a lower cost of living.
- Several said tolls would unfairly burden lower-income residents and shift workers who do not have the flexibility to alter their commute (either time of day or route).
- Many respondents said they do not personally have the income necessary to pay tolls, including those on fixed incomes (for example, retirees) and households and individuals who are currently struggling to make ends meet.
- Some respondents said tolls would unfairly burden middle-class families who would not be eligible for reduced toll rates.

Comments submitted during 2021 Summer engagement for the Regional Mobility Pricing Project:

- In a conversation with EMAC, committee members suggested establishing an inclusive definition of discount eligibility to address equity and affordability.
- Participants in discussion groups consistently agreed that they don't want tolling to become one more equity barrier for people with low income, disabilities, etc. Many expressed interest in discounted toll rates for specific groups, such as students and people experiencing low incomes, and what the process will be for reporting changes in income.
- Some survey responses (37%) expressed support for a discounted toll rate for drivers experiencing low incomes.
- Many comments during discussion groups about considerations for setting the toll rate, including:
 - Consider rebates and discounts for certain populations.

- Offer an honored citizen pass to cover travel for people with low-incomes and those seeking medical care.
- Briefing participants and commenters shared interest in toll discount considerations for low-income groups.

Comments submitted during 2022 Spring engagement for the Regional Mobility Pricing Project:

- Support exists for offering low-income benefits to a wide range of people that may be financially affected, including middle-income drivers.
 - Overall, 66% of survey respondents agreed with providing a low-income discount or credit, a sentiment that was shared by discussion group participants.
 - Generally, more survey respondents were in favor of a higher-income threshold (36%) for discounts compared to a lower income threshold (19%), even with the acknowledgment that drivers may not experience the same degree of travel-time and reliability improvements.
- In write-in comments and during discussion groups, many respondents used phrases such as “working class” or “middle-income,” noting that these groups may not qualify as low income but that they could still experience severe financial impacts from tolling and should receive benefits.
- Participants requested a simple and accessible enrollment process for low-income toll benefits that includes customer support and partnerships with CBOs. Through discussion groups and stakeholder interviews, there was broad agreement that requiring people to enroll for any type of low-income benefits are a barrier unto itself. Participants suggested creating a system that makes it as easy as possible to apply for low-income toll benefits. Some organizational representatives noted that their organizations sometimes use automatic enrollment in partnership with other programs, though they emphasized that disenrollment in one should not automatically mean disenrollment in the other. Several discussion groups also highlighted language barriers and the importance of translating application information and keeping it simple, clear, and to the point. There was broad agreement that partnering with CBOs would be critical to providing a trusted source for people to learn about and assist with applying for benefits.
- When asked about a set of options for a low-income toll program, respondents were polarized with significant agreement and disagreement on each of the listed options. Overall agreement (combined respondents who marked either strongly agree or agree) for each option was as follows:
 - Daily or monthly toll cap (45%)
 - Credit for a limited number of free or discounted toll trips (44%)
 - Receipt of free transit credits (40%)

- Free transponder with a \$25 initial credit (38%)
- Only one option, free transponders with a \$25 initial credit, received more overall disagreement (39%) than agreement (38%).
 - Respondents who disagreed with the options were more likely to mark strongly disagree than disagree.
 - These results vary somewhat from the discussion group responses related to this question.
 - While a daily or monthly toll cap was a popular discount option for the discussion groups, similar to the survey respondents, credits for a limited number of free or discounted toll trips was the least preferred option among discussion group participants.
- About 1,250 comments addressed tolling implementation, including discounts. Many respondents said that local residents and/or other frequent users should receive a full exemption or a discount, such as a cap on daily or monthly fees. Additional comments included:
 - Some respondents said that all users should pay the same amount and that there should not be discounts or credits.
 - Some respondents said that all Oregon residents should receive a discount, with a higher toll charged to out-of-state drivers.
 - A few respondents said that there should be discounts or exemptions for various essential workers such as healthcare workers, school staff, servicemembers, and emergency responders.
 - A few respondents said that other specific groups should receive discounts or credits (including a credit for prepaying for tolls or purchasing a transponder) or there should be a discount for seniors, people with disabilities, students, and unemployed persons.
 - A few respondents said there should be monthly or daily caps on the number of tolls, or amount of toll revenue, that could be collected per individual.
- About 620 comments addressed disproportionate impacts on vulnerable populations that have been historically disenfranchised (low income, communities of color, people with disabilities, elderly, immigrants). Comments related to discounts for people experiencing low incomes included:
 - Some respondents supported big discounts and very low-priced tolls for people experiencing low income.
 - Some respondents supported exemptions as essential or required for people experiencing low incomes.

- Some respondents said that higher-income earners should be tolled at higher rates or a toll rate structure tiered by income, with a gradual discount scale.
 - Some respondents indicated their preferred thresholds or definitions for “low income.” General income thresholds for exemptions, discounts, or credits discussed range from \$27,000 to \$80,000 per year.
 - A few respondents said that there should be no exemptions, and that all travelers, including people experiencing low income, should pay at least some amount.
 - A few respondents said that credits can be problematic because they require upfront payments.
 - A few respondents said that there should be maximum daily and monthly limits or caps on the total amount of tolls that could be collected.
 - A few respondents said that there should not be a cap on the number of low-income credits or discounts provided to drivers or expressed concern that discounts or credits would only be provided for a capped number of days in a month.
 - A few respondents said that the threshold for low-income eligibility should be higher than 300% federal poverty level.
 - A few respondents expressed concern that some people may have incomes that exceed the threshold, and that due to inflation, general cost of living, and rising prices, they cannot truly afford tolls in the same way that high-income earners may be able to.
- Discussion group participants expressed the need to consider other groups that should be eligible for a discount or credit. Several people mentioned that the program should focus less on income and more on the type of job, noting that delivery drivers, students, and in-home health care providers could be affected and should get discounts or credits.
 - EMAC provided the following comments on the Low-Income Toll Report:
 - General support of the analysis and initial identification of equity travel patterns.
 - Interest in balancing larger goals with the daily needs of people in the region, and agreement that the system shouldn’t penalize people who don’t have high incomes.
 - There were suggestions to consider the fluidity of geographic areas before using certain locations to determine eligibility for a low-income program.

Comments submitted during 2022-2023 NEPA Scoping comment period for the Regional Mobility Pricing Project:

- Approximately 620 comments addressed tolling implementation, including comments about discounts:
 - Many commenters said that people experiencing low incomes should pay a lower toll rate or no rate at all.

- Several commenters said that there should be a discount for senior citizens.
- Several commenters said that there should be a discount for certain neighborhoods that are particularly reliant on the tolled roadways, for example Charbonneau in Wilsonville.
- About 1,080 comments addressed perceived fairness, including comments about fairness of discounts.
- Some commenters said that all users should pay the same toll rate, and that discounts or other credits would be unfair.