

Outline of Draft Rules: Low-Income Tolls, Vehicle Rates, Discounts/Exemptions, and Toll Rate Setting and Adjustments

STRAC & EMAC July 21 Joint Workshop Materials

Date Updated: June 29, 2023

TOLL RATE SETTING AND ADJUSTMENTS

- Criteria, factors, or goals the Oregon Transportation Commission will use to set rates (low-income toll program is a factor, among others)
- Items adopted in the toll rate schedule
- Toll schedule review and monitoring factors
- Holidays and emergencies
- Pre-completion and post-completion of construction
- Rates by vehicle types (shape/weight)
- How different vehicles will be will be treated (for example, motorcycles and trailers)
- Time of day pricing (variable rates)
- Toll rate schedule per project and rates identified (*The specific rates will not be included in this rulemaking effort, but as a part of the future toll rate setting process that occurs on each project.*)

Existing rules and laws

- Oregon law (ORS) [383.004](#) (process to establish tolls), [383.005](#) (agreements for operations), [383.011](#) (contracting terms for operations), [383.009](#) (use of toll funds), [383.015](#) (evaluation factors to authorize a project), [383.019](#) (agreement

for tollway maintenance), [383.215](#) (use of federal funds), [383.225](#) and [383.245](#) (toll revenue and bonding), and [383.235](#) (reserve accounts)

- Oregon rules (OAR) [731-040-0052](#) and [0053](#) (process for reviewing and approving tolls and toll rates, generally), [731-040-0054](#) (additional process for setting toll rates on highways), [731-040-0055](#) (additional process for setting toll rates on interstate bridges), [731-040-0056](#) and [0057](#) (process for adjusting toll rates, generally), [731-040-0058](#) (process for adjusting toll rates on highways), and [731-040-0059](#) (process for adjusting toll rates on interstate bridges)

DISCOUNTS AND EXEMPTIONS

- Low-income discount enrollment, verification, and recertification process
- Exemptions for public transit, emergency response vehicles, and military vehicles
- Exemptions for Tribal government vehicles and members (*This will be addressed through a separate government-to-government consultation process.*)

Existing rules and laws

- Federal law Chapter 23, [Section 129](#) (toll roads, bridges, tunnels, and ferries)
- Oregon law (ORS) [399.145](#) (military)

NEW TOLL PROJECTS

- Fees for new toll project applications
- Review process for ODOT and the Oregon Transportation Commission to accept the project for further study
- Review process for toll projects on Interstate Bridges (*These will be revised through a separate process for the Interstate Bridge Project rulemaking and rate setting.*)

Existing rules and laws

- Federal law Chapter 23, [Section 129](#) (toll roads, bridges, tunnels, and ferries) and [Section 166](#) (high-occupancy vehicle facilities)

- Oregon law (ORS) [381.005-824](#) (Interstate bridges), [383.001](#) (basis for tolling), [383.004](#) (process to establish tolls), and [383.015](#) (evaluation factors to authorize a project)
- Oregon rules (OAR) [731-040-0030](#) (application for new toll projects) and [731-040-0050](#) (process to evaluate and authorize new toll projects)

New Organization of Toll State Rules – Oregon Administrative Rules (OARs)

Highlighted = Reviewed by STRAC, as of May 2023

731-040-0010 Purpose

731-040-0020 Definitions

731-040-0030 Fees for government or private entity toll project applications

731-040-0040 Review process for toll projects submitted by government or private applicants

731-040-0041 Review process for toll projects on Interstate Bridges

731-040-0050 Process for reviewing and approving the establishment of tolling and toll rates; generally

731-040-0051 Process for reviewing and approving the establishment of tolling and toll rates; Interstate Bridges

731-040-0060 Process for approving revised toll rates, generally

731-040-0061 Process for approving revised toll rates, Interstate Bridges

731-040-0070 Toll accounts and payment

731-040-0071 Administrative fees

731-040-0072 Payment process

731-040-0073 Civil Penalty process

731-040-0074 Dispute process

731-040-0075 Customer data

731-040-0080 Exempt vehicles

731-040-0081 Discounts

731-040-0082 Tribal government vehicles and members

731-040-0083 Vehicle types

731-040-0090 Toll rate schedules and suspension of tolls