

STATEWIDE TOLL RULEMAKING ADVISORY COMMITTEE (STRAC)

Meeting #9

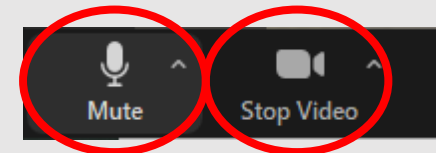
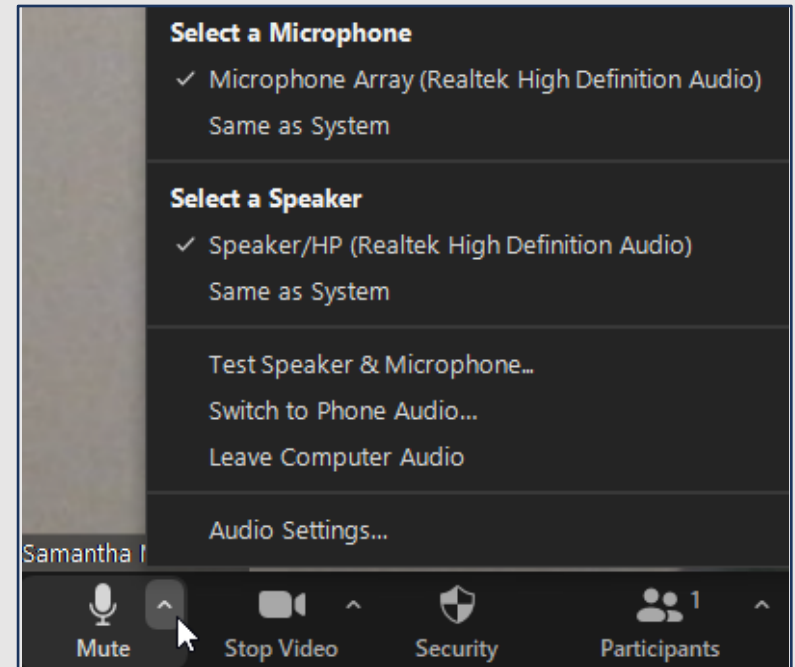
November 17, 2023

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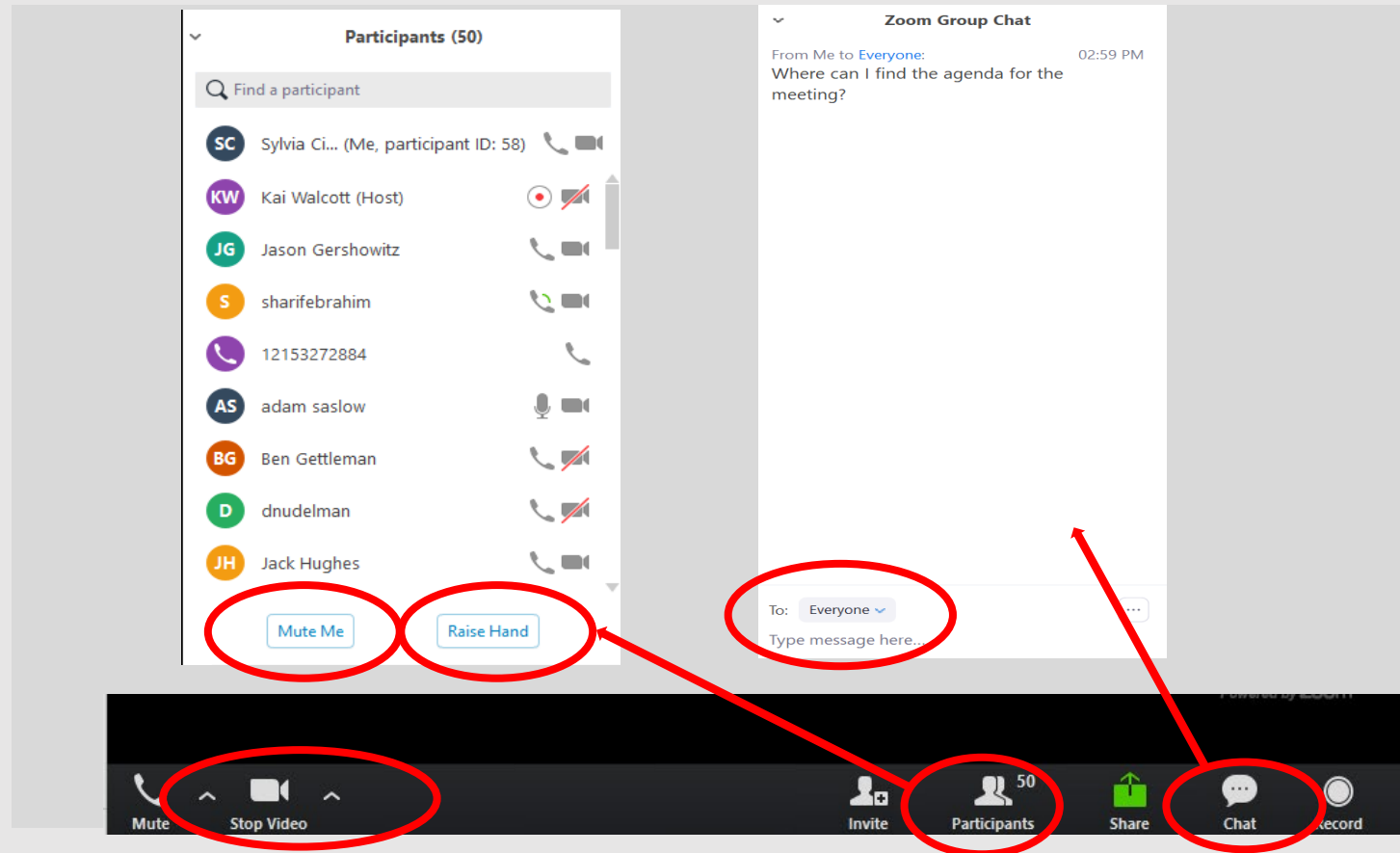
ZOOM MEETING TIPS FOR STRAC MEMBERS

- If you have not already **connected your audio**, click on the arrow next to the microphone icon, then click “Join Computer Audio” or “Switch to Phone Audio” to connect your computer speakers or to view the conference line information.
- Please **keep yourself on mute** when not speaking. To mute and unmute, either select the microphone icon, or use your personal phone.
- **Use video** if possible, to promote face-to-face communication. Click the video icon to turn on your webinar camera.

If you are experiencing technical difficulties, please send a text to Madeline Kane at (719)209-5138.



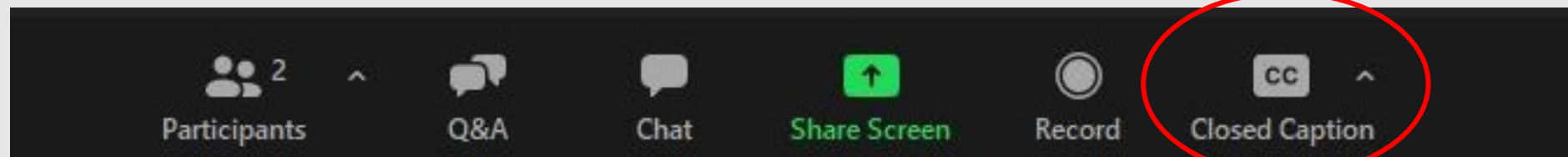
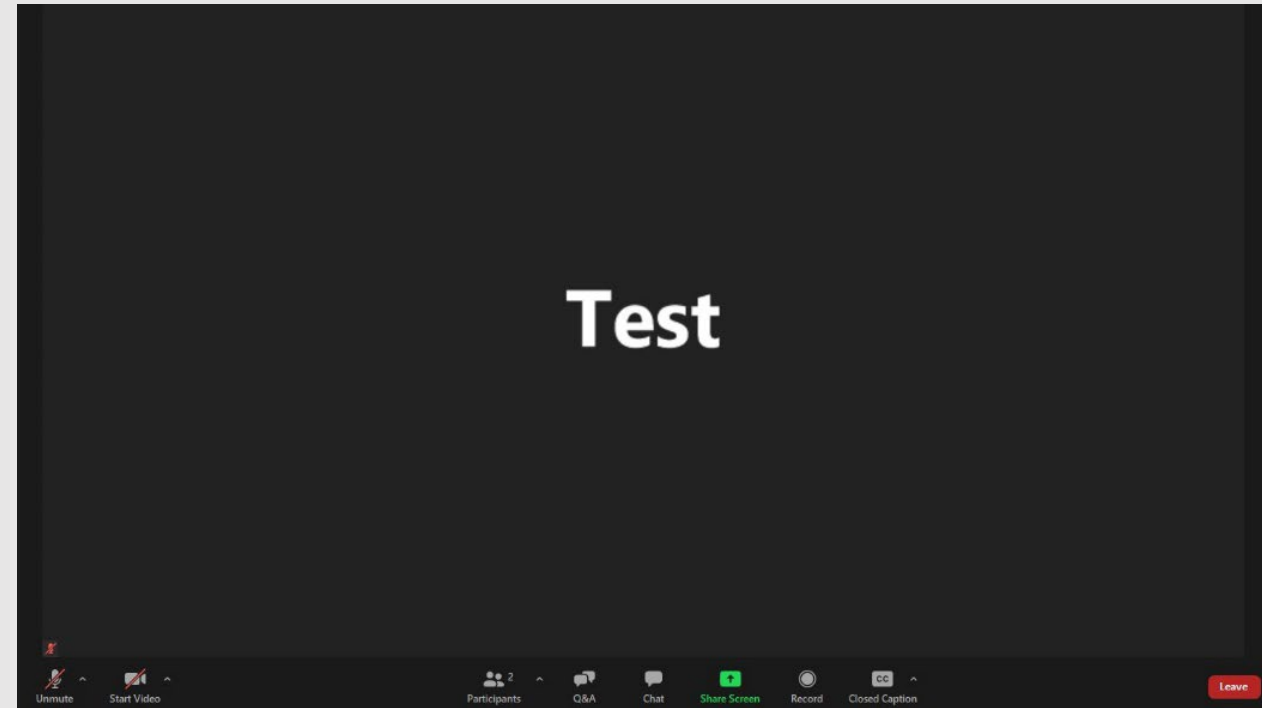
ZOOM MEETING TIPS FOR STRAC MEMBERS



- To raise your hand by phone, press *9
- To unmute yourself by phone, press *6

HOW TO ACCESS CLOSED CAPTIONS

1. At the bottom middle of your screen, you should see a menu of options. If you can't see the menu, hover your mouse over the bottom middle of the screen.
2. Click on the "CC" icon and a separate window with captions will appear.



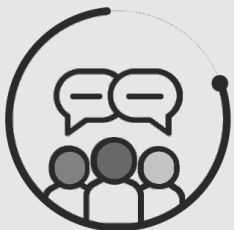
HOW TO COMMENT



For STRAC comments, please email oregontolrules@odot.oregon.gov with “STRAC Public Comment” in the subject line.



Submit comments via phone: 503-837-3536.



Comments received by 11:00 AM two business days before each meeting will be shared with advisory committee members before the meeting. All comments will be added to the meeting record.

AGENDA

- 9:00 am: Opening & Introductions
- 9:10 am: Welcome
- 9:15 am: Where We've Been and Where We're Going
- 9:25 am: What We've Heard
- 9:55 am: Draft Rule Review
- 11:45 am: Finalize Rule Review
- 12:00 -12:30 pm: Lunch Break
- 12:30 pm: Fiscal and Equity Impact Statement
- 1:25: Next Steps
- 1:30 pm: Adjourn

INTRODUCTION

STRAC Member	Organization
Elizabeth Mazzara Myers	Westside Economic Alliance
Ethan Hasenstein	Knife River Corporation
Jeff Spiegel	Penske Truck Leasing
Lanny Gower	XPO Logistics
Lauren Poor	Oregon Farm Bureau
Marc Ortega Kilman-Burman	Global Medical Response (GMR)
Marie Dodds	AAA Oregon/Idaho
Michael Card	Combined Transport Inc.
Nafisa Fai	Washington County Commission Liaison from Region Toll Advisory Committee
Omar Cruz	May Trucking
Park Woodworth	Ride Connection
Philip Wu	Oregon Environmental Council and public health Liaison from Equity and Mobility Advisory Committee
Sean Philbrook	Identity Clark County
Shannen Knight	A Sight for Sport Eyes
Sharla Moffett	Oregon Business and Industry
Shatrine Krake	West Linn Chamber

MEETING GUIDELINES



Fully participate in Work Group meetings



Come prepared for meetings



Participate in an open and mutually respectful way



Balance speaking time



Serve as a liaison to your larger community of interest



Act in good faith – Listen and be respectful of others' contributions

MEETING OBJECTIVES

- Hear about input gained from community engagement efforts to inform STRAC review and input into the entire package of draft rules.
- Discuss issues that STRAC encountered to provide ODOT with the range of opinions from members.
- Gather input on the rulemaking fiscal and equity impact statement.
- Understand the final steps of the rulemaking process and ODOT's appreciation for STRAC's work this past year.

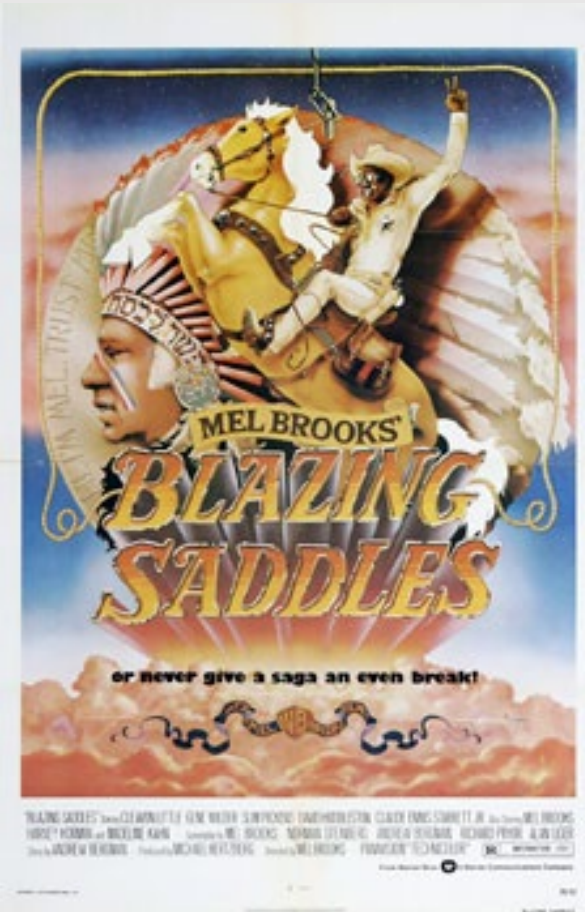
TRIVIA



© Warner Brothers

In which classic 1974 film does this clip appear?

TRIVIA



- BLAZING SADDLES

Copyright: 1974 Warner Bros. All Rights Reserved. Theatrical release poster by [John Alvin](#)^[1]

WELCOME



Travis Brouwer

Assistant Director of Revenue, Finance, and
Compliance

Oregon Department of Transportation

NOVEMBER 9 OTC MEETING ON LOW-INCOME TOLL PROGRAM

- OTC communicated support for the following:
 - Commitment to implement a 50% discount for customers whose income is up to 200% Federal Poverty Level (FPL)
 - Residents of Oregon and Washington State would be able to enroll
 - The benefit would be offered as a percentage discount
 - Commitment to study 10% and 25% discounts for 300% FPL and 400% FPL in further traffic and revenue studies, which would inform the OTC's decision to offer, or not, this option as a level in the program

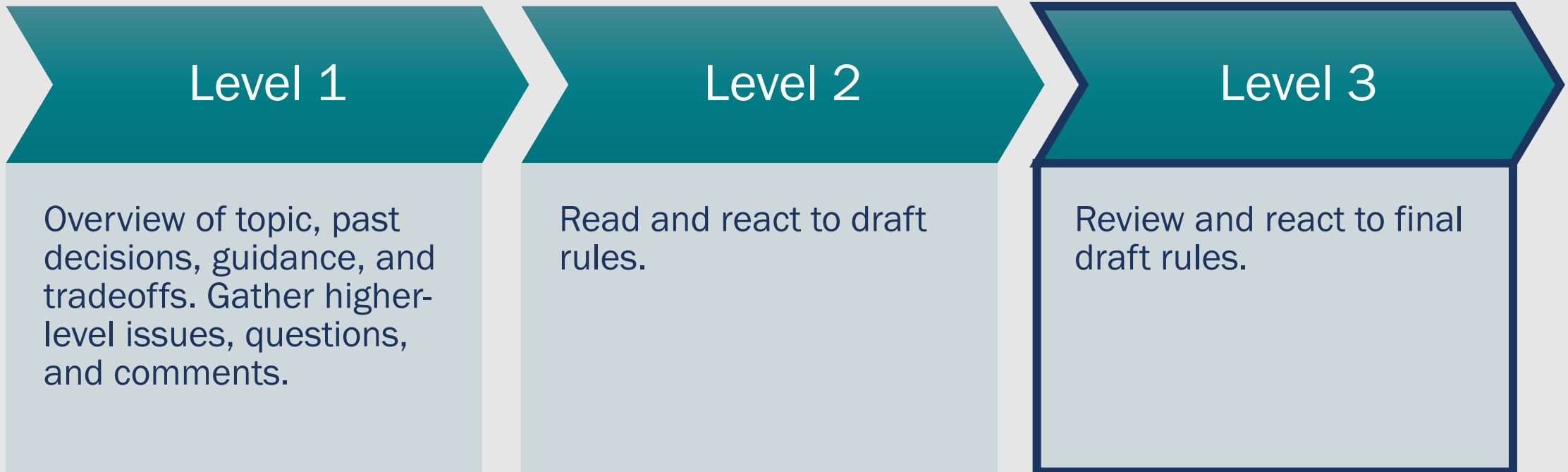
WHERE WE'VE BEEN & WHERE WE'RE GOING



**WE'VE
ARRIVED!**



STRAC & ODOT ENGAGEMENT PROCESS



TIMELINE: TOLL RULES UPDATE (OARs)



2023

2024

Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec Jan Feb Mar Apr May June

STRAC

Part 1: Enrollment, payment processing, and enforcement

Part 2: Low-income toll program, rate setting and adjustment process, and vehicle rates

Public

Public outreach, specialty groups (freight, etc.), and equity-focused discussion groups

Public comment period

ODOT

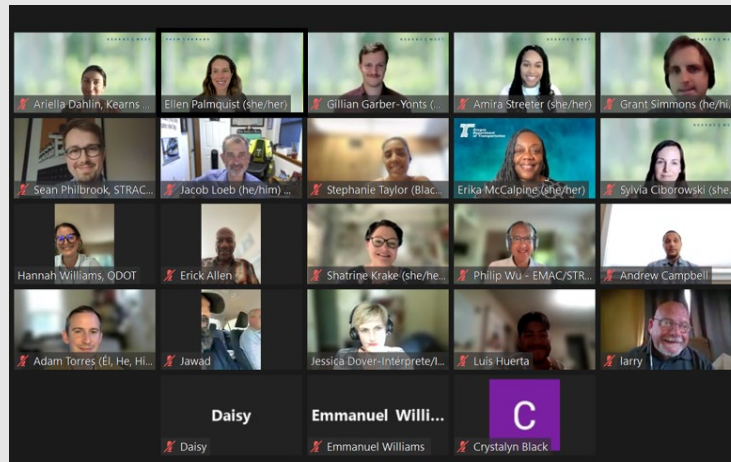
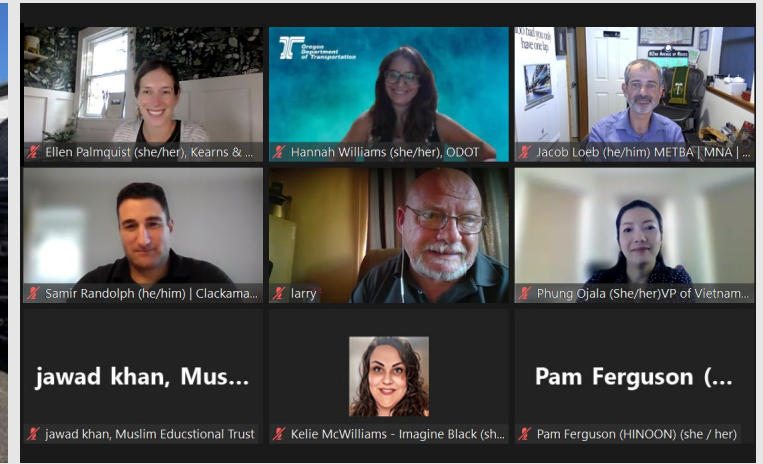
Draft and revise the draft rules and create supportive materials for engagement

OTC

Provide feedback on draft rules and challenging topics

Adopt

WHAT WE'VE HEARD



2023 RULEMAKING ENGAGEMENT REPORT

- Purpose: Conduct parallel, supportive engagement with STRAC to inform rule development
- Topics discussed:
 - Vehicle classification and cost approach
 - Signing up for a toll account
 - Low-income toll program
 - Paying tolls and updating information



ENGAGEMENT ACTIVITIES

88 focus group
participants



22 community-based
organization participants



4,712 tabling
event attendees

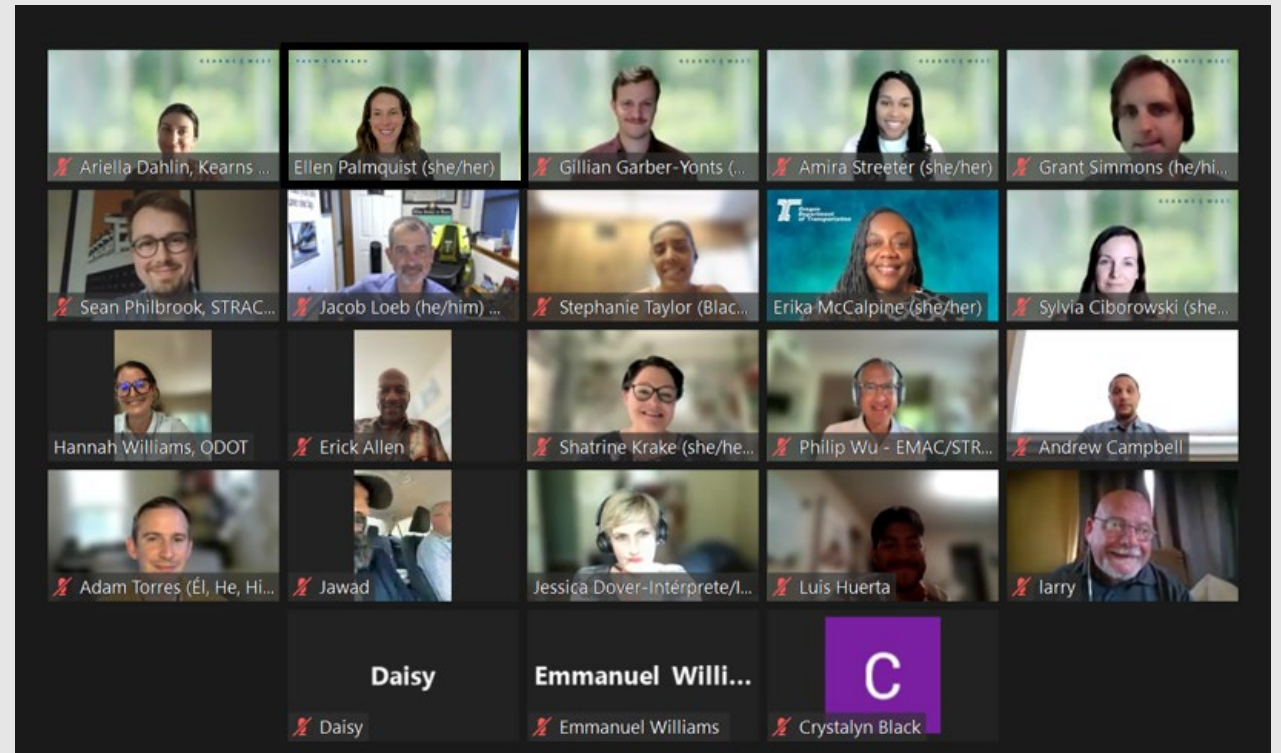


94 trucking
meeting participants



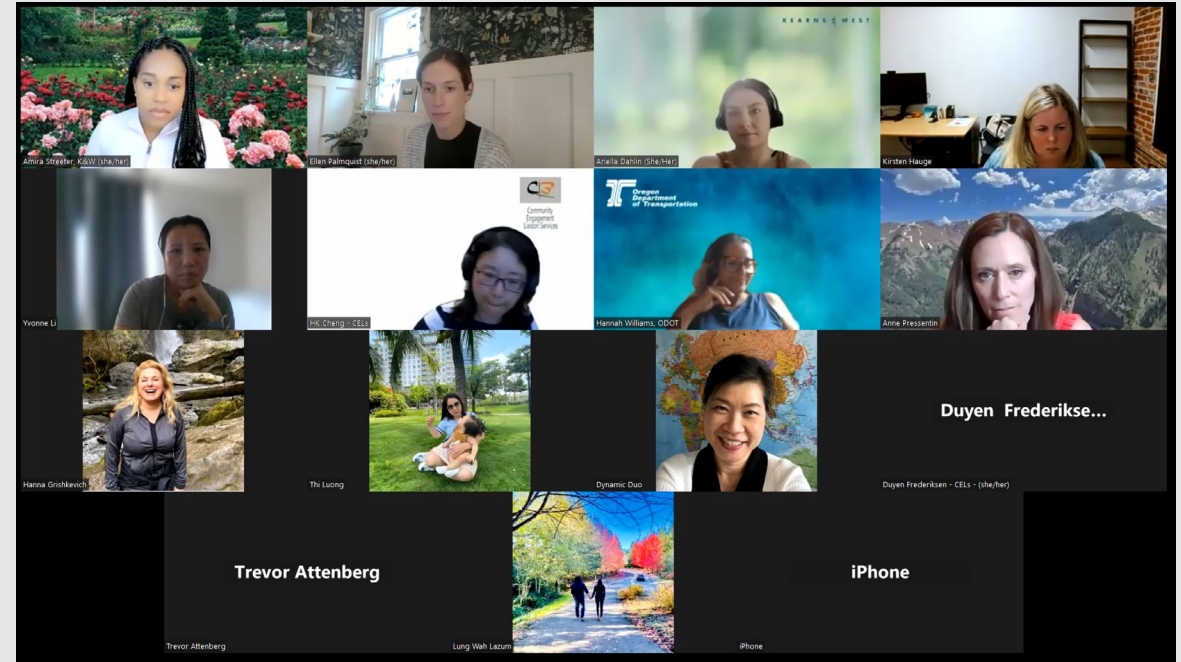
COMMUNITY-BASED ORGANIZATIONS (CBOs) DISCUSSION GROUPS

- Discussions in June and September with 16 organizations represented



COMMUNITY ENGAGEMENT LIAISON (CEL) FOCUSED DISCUSSION GROUPS

- 8 virtual discussion groups in July and August
- Communities: Vietnamese, Chinese, Latinx, Black and African, BIPOC, Slavic, Tribal and Native American, and people living with disabilities





TRUCKING ENGAGEMENT

- 2 brown bag webinars in September and October representing 32 businesses
 - Partnered with ODOT's Commerce and Compliance Division
- Presented at Motor Carrier Transportation Advisory Committee (MCTAC) meetings in July and October
- 94 participants

WHAT WE HEARD: ENROLLMENT & APPROACH

- **Partner with trusted organizations** to help get people to the website to sign up for toll accounts
- **Provide toll account services** in person and in multiple languages
- **Share information about tolling** through the website, a mobile app, social media accounts, the mail, text, highway signage, and more
- **Support for all electronic tolling and the use of toll tags** with an interest in making sure Oregon's toll system is compatible with toll systems

WHAT WE HEARD: PAYMENT, ACCOUNTS, & DISCOUNTS

- **Concerns about surprise bills** and interest in signing up for a toll account to track toll charges
- **Offer payment plans and educational classes** for people who don't pay their toll bills on time
- **Protect account and payment information** to address concerns about protecting bank account information and data breaches
- **Provide multiple options to verify income** for the Low-Income Toll Program
- **Consider the weight-mile tax** when setting toll rates for commercial vehicle

RESPONSES TO COMMUNITY FEEDBACK

Make it easy to sign up for toll accounts

- ✓ Register for an account on the website, by mail, by phone, and in person

Make toll accounts compatible with other toll systems

- ✓ Interoperable with Washington's toll system on day one

People need multiple payment systems

- ✓ Pay online, by mail, or in-person with credit card, cash, or check

Work with customers to resolve unpaid bills

- ✓ Additional time to resolve unpaid toll bills



RESPONSES TO COMMUNITY FEEDBACK

Protect customer data

- ✓ We will not take and store photos of people

Reduce the impacts of tolling

- ✓ Low-Income Toll Program on day one of tolling

Keep costs low for all drivers

- ✓ Exemptions are limited to what is required and necessary



DISCUSSION

- How does this feedback reflect what you have been hearing?
- How does this feedback help you provide input on the rules?



BREAK

Back at 10:20

REVIEW DRAFT RULES



Draft Toll Rules – Redlined

Statewide Toll Advisory Committee (STRAC) November 2023 Meeting Materials

Date Updated: November 10, 2023

Yellow highlighted = Comments received and topics discussed

Green highlighted = Previously accepted changes due to STRAC feedback

Redlined = Changes made to address STRAC feedback

Department of Transportation
Chapter 731
Division 40
TOLLWAY PROJECTS

PURPOSE

731-040-0010
Purpose

NEW OUTLINE FOR OREGON ADMINISTRATIVE RULES (OARs)

- Purpose
- Definitions
- Fees
- Review process, generally and for interstate bridges
- Establish toll rates, generally and for interstate bridges
- Toll accounts and payment system
- Administrative fees, payment process, dispute process, civil penalties, and customer data
- Discounts and exemptions
- Toll rate schedule and classification

ADDITIONAL RESEARCH ON TOLL EXEMPTIONS

- Updated the definition for transit exemptions
- Gathered estimates for police, fire, ambulance, highway incident response, and transit vehicles
- Researched what Washington State does for exemptions

Exemptions Follow Up Research

Statewide Toll Advisory Committee (STRAC) November 2023 Meeting Materials
Date Updated: November 10, 2023

At STRAC's September 2023 meeting, we had a robust discussion on the proposed list of exemptions ([see toll rules](#)). We heard from multiple members of the committee the desire to offer no additional exemptions outside what is required by law.

Building from the "[Discounts and Exemptions Memo](#)" shared with STRAC in September 2023, this document provides additional research into the few additional categories that were proposed for exemptions (transit, highway incident response vehicles, police, fire, and ambulance).

Police

What's the estimated number of registered vehicles in the Portland region or statewide in Oregon?


Although we were unable to attain an estimate, vehicles that would fall into this category include those owned by Oregon State Patrol, Sheriff's Offices, and city-level police. At the current time, this would not extend to private security, university police, school police, transit police, or airport police. Further work is needed to define how this would apply to federal law enforcement.

NOTE: Washington State offers exemptions for on-duty emergency response vehicles ([WAC 468-270-085](#)). On-duty is defined ([WAC 468-270-030](#)) as, "Authorized emergency vehicle" means an on-duty vehicle of any fire department, police department, sheriff's office, Washington state patrol, ambulance service, public or private and which is equipped with emergency lights and siren and used to respond to

FEEDBACK ON THE RULES

Feedback guidelines:

- Clarification questions
- Suggested edits for words
- Identifying areas that we missed
- Level of satisfaction with changes

 Oregon
Department
of Transportation

Draft Toll Rules – Redlined

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Department of Transportation
Chapter 731
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TOLLWAY PROJECTS

PURPOSE

731-040-0010
Purpose

RULEMAKING BALANCING ACT



OTHER TOPICS DISCUSSED AND NEXT STEPS

Toll rate setting and revenue allocation

- Final toll rates, including by vehicle type
- Revenue allocation and financing

Toll projects

- Performance metrics
- Local mitigation projects and reporting

Operations

- Enrollment for all customers
- Education, communications, and engagement
- Interoperable agreements

STRAC FINAL INPUT

- Level of satisfaction with changes and how the rules look today.
- What is most important to get right?
- Is there any final input that you want to communicate?



LUNCH BREAK

30 Minutes

Returning at 12:30 pm

FISCAL AND EQUITY IMPACT STATEMENTS

- Required by Oregon law, although the equity statement requirement is relatively new
- These rules do not include toll rates or revenue allocations; these will be evaluated and identified at the project level



Draft Fiscal and Equity Impact Statement

Statewide Toll Rulemaking Advisory Committee (STRAC) November 2023 Meeting Materials

Date Updated: November 10, 2023

Statements on the impact of Oregon Administrative Rules (OARs) on equity and fiscal-economic impacts are a required part of rulemaking in Oregon ([link](#)). To inform the development of these statements for the toll rulemaking process, the STRAC will review a draft and provide input at their November 17 meeting.

Because the requirement to include a statement on equity is relatively new, this document includes examples from ODOT and other state agencies – see below, after the draft statements. For the fiscal and economic impact statement, the Secretary of State provides [a](#) outline checklist ([link](#)).

As a reminder, administrative rules exist on a continuum between higher-level regulations and policies, and more detailed agency procedures. The statements in this document will describe impacts of the details involved in the rules, which do not include specific toll rates or revenue allocations. These will be evaluated and identified at the project level (for example, [I-205 Toll Project Draft Environmental Assessment](#)).

OVERVIEW: EQUITY IMPACT STATEMENT

- Defined equity and pursued geographic diversity
- STRAC and EMAC committee members and engagement process
- Revised our approach to add additional timing for resolving toll bills before mandatory compliance steps would take place
- Offering a cash-based option for customers
- Reinforcing our commitment to state law requirements that limit access to customer data from tolling
- Offering discounts to individuals experiencing low incomes

REQUIREMENT & ODOT'S APPROACH

FISCAL

- Identify how state agencies, units of local government, and members of the public may be economically affected
- Identify impacts to small businesses

EQUITY

- Identify how these rules will address racial equity
- Examples of ODOT and other agencies provided

OVERVIEW: FISCAL IMPACT STATEMENT

- Statewide impact on state agencies, governments, and local businesses
- Administrative costs for fleet management and addressing possible errors in future billing
- Fees identified in the rules for mailing, invoices, and private toll project applications
- Discounts and exemptions offered for customers
- Pursuing interoperability with existing toll system providers to reduce costs

QUESTIONS AND FEEDBACK

- Feedback on the draft fiscal and equity impact statements

FISCAL AND EQUITY STATEMENTS: NEXT STEPS

- Input from STRAC's November 2023 meeting will be used to develop the notice and set of rules that are planned to be published on the Secretary of State's website in early 2024
- This will begin an official public comment period that will lead to a decision at the Oregon Transportation Commission on the final rules, which is expected to be in mid-2024

COMMITTEE UPDATES



OREGON TRANSPORTATION COMMISSION AND ADVISORY COMMITTEES



EQUITY AND MOBILITY ADVISORY COMMITTEE (EMAC)

- Next Meeting:
December 4

OREGON TRANSPORTATION COMMISSION (OTC)

- Next Meeting:
December 11

REGIONAL TOLL ADVISORY COMMITTEE (RTAC)

- Next Meeting:
November 27

EQUITY & MOBILITY ADVISORY COMMITTEE (EMAC): REPORT OUT

- November 8 meeting on Tribal consultation, Equity Framework, and Equity and Mitigation Implementation Plans
- November 9 discussion with the Oregon Transportation Commission about input on ODOT's low-income toll program recommendations
- December 4 meeting upcoming on the Low-Income Toll Program decisions headed to the Oregon Transportation Commission

REGIONAL TOLL ADVISORY COMMITTEE (RTAC): REPORT OUT

- Upcoming meeting on November 27
- Discussion around the I-205 Toll Project scenarios and Equity and Mitigation Implementation Plans

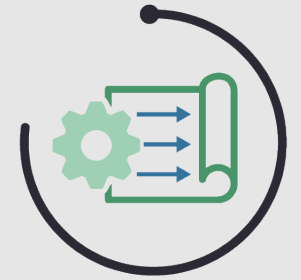
LOOKING AHEAD & NEXT STEPS



WHAT'S NEXT FOR RULEMAKING



- Stay tuned for the 2024 public hearing and public comment period



NEXT STEPS

- Evaluations to be sent after today's meeting
- Full set of draft rules and STRAC input brought to December 11 OTC meeting
- Connect with STRAC members before and during public comment period in 2024



THANK YOU