
SUBSTITUTE SENATE BILL 6152

State of Washington

64th Legislature

2016 Regular Session

By Senate Transportation (originally sponsored by Senators Hill, Habib, Pearson, Angel, Roach, Miloscia, Becker, and Litzow)

1 AN ACT Relating to the Interstate 405 express toll lanes;
2 amending RCW 47.56.880; and providing an expiration date.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 47.56.880 and 2011 c 369 s 3 are each amended to
5 read as follows:

6 (1) The imposition of tolls for express toll lanes on Interstate
7 405 between the junctions with Interstate 5 on the north end and NE
8 6th Street in the city of Bellevue on the south end is authorized for
9 a two-year pilot period, Interstate 405 is designated an eligible
10 toll facility, and toll revenue generated in the corridor must only
11 be expended as allowed under RCW 47.56.820.

12 (2) Tolls for the express toll lanes must be set as follows:

13 (a) The schedule of toll rates must be set by the tolling
14 authority pursuant to RCW 47.56.850. Toll rates may vary in amount by
15 time of day, level of traffic congestion within the highway facility,
16 or other criteria, as the tolling authority deems appropriate.

17 (b) In those locations with two express toll lanes in each
18 direction, the toll rate must be the same in both lanes.

19 (c) Toll charges may not be assessed on transit buses and
20 vanpools.

1 (d) The department shall establish performance standards for
2 travel time, speed, and reliability for the express toll lanes
3 project. The department must automatically adjust the toll rate
4 within the schedule established by the tolling authority, using
5 dynamic tolling, to ensure that average vehicle speeds in the lanes
6 remain above forty-five miles per hour at least ninety percent of the
7 time during peak hours.

8 (e) The tolling authority shall periodically review the toll
9 rates against traffic performance of all lanes to determine if the
10 toll rates are effectively maintaining travel time, speed, and
11 reliability on the highway facilities.

12 (f) Toll charges may not be assessed and minimum vehicle
13 occupancy requirements are not permitted in the corridor identified
14 in this section: (i) Between the hours of 7:00 p.m. and 5:00 a.m.;
15 (ii) at any time on the weekend; and (iii) on all state and federal
16 holidays.

17 (3) The department may construct and operate express toll lanes
18 on Interstate 405 between the city of Bellevue on the south end and
19 Interstate 5 on the north end. Operation of the express toll lanes
20 may not commence until the department has completed capacity
21 improvements necessary to provide a two-lane system from NE 6th
22 Street in the city of Bellevue to state route number 522 and the
23 conversion of the existing high occupancy vehicle lane to an express
24 toll lane between state route number 522 and the city of Lynnwood.
25 Construction of the capacity improvements described in this
26 subsection, including items that enable implementation of express
27 toll lanes such as conduit and other underground features, must begin
28 as soon as practicable. However, any contract term regarding tolling
29 equipment, such as gantries, barriers, or cameras, for Interstate 405
30 may not take effect unless specific appropriation authority is
31 provided in 2012 stating that funding is provided solely for tolling
32 equipment on Interstate 405. The department shall work with local
33 jurisdictions to minimize and monitor impacts to local streets and,
34 after consultation with local jurisdictions, recommend mitigation
35 measures to the legislature in those locations where it is
36 appropriate.

37 (4) The department shall monitor the express toll lanes project
38 and shall annually report to the transportation commission and the
39 legislature on the impacts from the project on the following
40 performance measures:

1 (a) Whether the express toll lanes maintain speeds of forty-five
2 miles per hour at least ninety percent of the time during peak
3 periods;

4 (b) Whether the average traffic speed changed in the general
5 purpose lanes;

6 (c) Whether transit ridership changed;

7 (d) Whether the actual use of the express toll lanes is
8 consistent with the projected use;

9 (e) Whether the express toll lanes generated sufficient revenue
10 to pay for all Interstate 405 express toll lane-related operating
11 costs;

12 (f) Whether travel times and volumes have increased or decreased
13 on adjacent local streets and state highways; and

14 (g) Whether the actual gross revenues are consistent with
15 projected gross revenues as identified in the fiscal note for
16 Engrossed House Bill No. 1382 distributed by the office of financial
17 management on March 15, 2011.

18 ~~(5) ((If after two years of operation of the express toll lanes~~
19 ~~on Interstate 405 performance measures listed in subsection (4)(a)~~
20 ~~and (e) of this section are not being met, the express toll lanes~~
21 ~~project must be terminated as soon as practicable.)) To the greatest
22 extent possible, the department must continue to expand the length of
23 the access and exit points to the express toll lanes.~~

24 (6) The department, in consultation with the transportation
25 commission, shall consider making operational changes necessary to
26 fix any unintended consequences of implementing the express toll
27 lanes project.

28 (7) A violation of the lane restrictions applicable to the
29 express toll lanes established under this section is a traffic
30 infraction.

31 (8) This section expires September 27, 2017.

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