

**Board Report**

File #: 2015-1599, **File Type:** Policy**Agenda Number:** 51.

**AD HOC CONGESTION REDUCTION COMMITTEE
NOVEMBER 18, 2015****SUBJECT: EXPRESSLANES 2016 STATE LEGISLATIVE POLICY****ACTION: RECEIVE AND FILE****RECOMMENDATION**RECEIVE AND FILE the **ExpressLanes 2016 State Legislative Policy**.**ISSUE**

At the March 2015 Board meeting, Directors John Fasana and Mark-Ridley Thomas introduced a motion requesting that staff develop an overarching policy on HOV/HOT/ExpressLanes to guide the agency's position on proposed legislation (Attachment B). The ExpressLanes Legislative Policy as shown in Attachment A provides guidance to the Board on ExpressLanes for incorporation into the 2016 State legislative program, Board Item 43.

DISCUSSION

The 2015 legislative agenda contained several proposed bills that had the potential to impact the agency's ability to effectively operate the current ExpressLanes as well as finance and implement additional High Occupancy Vehicle (HOV) to High Occupancy Toll (HOT) lane conversions. Each Bill was introduced independently making it difficult to determine the cumulative effect they could have had on ExpressLanes operations. These Bills included AB 210 (Gatto) which would have allowed HOV lanes on SR 134 and SR 210 to be used by all drivers during off-peak hours was vetoed by the Governor. AB 620 (Hernandez) would have allowed toll credits and reduced toll charges for both low and moderate income commuters and transit users and was made into a two-year Bill. SB 39 (Pavley) would have raised the cap on the number of green stickers issued to allow access to HOV lanes and reduced tolls as a single occupant vehicle but did not make it out of the Assembly.

While the authors of these bills were well-intentioned, a fragmentary approach that proposes changes to specific freeway corridors without assessing the impact of the proposed changes on a more comprehensive basis (including safety, congestion relief, operational efficiency and revenues) could negatively impact highway operations as well as Metro's ability to continue to operate existing ExpressLanes and implement additional ExpressLanes. The LACMTA Board, through its prior actions regarding the development of a Strategic Plan and studies to expand the ExpressLanes

network, has communicated its intent to oppose any legislation that would inhibit the Agency's ability to operate ExpressLanes and to successfully convert existing High Occupancy Vehicle (HOV) lanes to High Occupancy Toll (HOT) lanes, also known as ExpressLanes.

NEXTSTEPS

Staff will add the ExpressLanes legislative goal to Metro's 2016 State legislative program. Additionally, when recommending Board position on legislation relative to the ExpressLanes, staff will use the goal to guide legislative position.

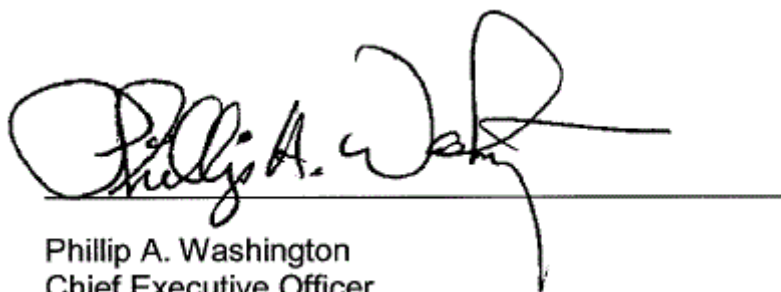
ATTACHMENTS

Attachment A - ExpressLanes 2016 State Legislative Policy

Attachment B - March 2015 Motion

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Los Angeles County Metropolitan Transportation Authority ExpressLanes 2016 State Legislative Policy

Purpose

The legislative goal detailed herein will be used to guide LACMTA's position on proposed legislation that may negatively impact the ExpressLanes program goals.

Program Goals

The following goals were established and adopted by the Board for the ExpressLanes program:

- 1) Provide a safe, reliable, predictable commute for customers of the ExpressLanes;
- 2) Reinforce LACMTA's ongoing efforts to increase vehicle occupancy rates and transit ridership;
- 3) Use dynamic pricing to manage traffic and optimize throughput in the corridor; and,
- 4) Operate and maintain a financially self-sustaining ExpressLanes program

Approval of the following legislative goal will assure consistency with the ExpressLanes overall program goals.

2016 State Legislative Goal: Pursue legislative initiatives that optimize Metro's ability to manage and administer the ExpressLanes and its related programs

Proposed Activities:

Support legislation that:

1. Encourages development and utilization of technologies that would enhance the ability to verify vehicle occupancy and toll collection/payment.
2. Enhances Metro's ability to enforce the ExpressLanes toll policy as adopted by the Board.

Vigorously oppose legislation that negatively impacts:

1. Metro's ability to manage ExpressLanes demand utilizing congestion pricing.
2. Financial viability and local control of ExpressLanes revenues.
3. Limit Metro's ability to expand the ExpressLanes network.

FASANA and RIDLEY-THOMAS MOTION

March 19, 2015

The 1-10 and 1-110 ExpressLanes have proven to be a success by improving the management of traffic within the corridors resulting in legislation that granted the MTA the authority to indefinitely operate, maintain and administer the program.

Through adoption of several motions, the Metro Board has communicated its desire to utilize congestion pricing through conversion of High Occupancy Vehicle lanes to High Occupancy Toll (HOT) lanes/ExpressLanes as a means of improving the reliability of the highway network while generating revenue to operate and maintain the ExpressLanes as well as enhance transit services and implement transportation projects within the corridors where funding is generated.

In July 2014, the Metro Board approved a motion directing staff to begin the development of planning studies for conversion of 1-105 High Occupancy Vehicle (HOV) lanes between 1-605 and 1-405/LAX/Sepulveda to High Occupancy Toll lanes/ExpressLanes as well as to study extending the 1-110 ExpressLanes southerly to the 1-405/1-110 interchange.

In November 2014, the Metro Board directed the CEO to develop the Los Angeles County ExpressLanes Strategic Plan, currently under development and slated to return to the Board in June 2015.

The 2015 legislative agenda contains several proposed bills that have the potential to impact the agency's ability to continue to operate the current ExpressLanes as well as finance and implement additional High Occupancy Vehicle (HOV) to High Occupancy Toll (HOT) lane conversions. While the authors of these bills are well-intentioned, a piecemeal approach that proposes changes to specific freeway corridors without assessing the impact of the proposed changes on a more comprehensive basis (including, safety, congestion relief, efficiency and revenues) could negatively impact the efficiency of the highway network as well as Metro's ability to continue to operate existing ExpressLanes and implement additional ExpressLanes.

WE THEREFORE MOVE that the MTA Board Direct the CEO to:

1. Develop a comprehensive list of proposed bills with the potential impact of limiting Metro's ability to pursue implementation of future ExpressLanes identified as part of the LA County ExpressLanes Strategic Plan for distribution at the April 2015 Executive Management Committee.
2. Expeditiously develop an overarching policy on HOV/HOT/ExpressLanes based on analysis that can guide the agency's position on proposed legislation.
3. Oppose any legislation that could negatively impact Metro's ability to operate its current program or proceed with future ExpressLanes related efforts until Board adoption of the ExpressLanes policy.