

POLICY NOTE

I-405 toll lanes are not working for most drivers, alternatives should be considered

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Key Findings

1. Current state law requires that two performance measures for I-405 express toll lanes must both be met: the federal speed requirement that lanes must operate at 45 miles per hour at least 90 percent of the time, and that revenues must cover operating costs.
2. State officials admit the lanes are failing federal and state requirements for speed reliability, which should prompt the termination of the tolls. Instead, WSDOT management has chosen to interpret the law in a way that allows them to keep the toll lanes in place indefinitely.
3. WSDOT's insistence on managing rather than reducing congestion suggests that pricing people out of lanes, rather than improving mobility, is a higher priority.
4. The University of Minnesota evaluated the toll lanes and provided recommendations to improve their performance, despite acknowledging that the law calls for their termination.
5. Tolling only one lane in each direction on the existing highway could improve speeds in both general-purpose and tolled lanes. This should be coupled with a requirement that each toll lane move a minimum of 1,700 vehicles per lane, per hour.
6. Removing toll lanes in either direction on the existing highway and allowing the private sector to build new tolled capacity instead would create a real choice for both drivers who can and cannot afford to pay a toll.
7. Officials should reconsider their approach to tolling policy and review alternatives to the toll lanes that prioritize increased mobility and choice for all drivers, rather than a select few.

A major study published by Washington Policy Center examines the state's use of tolls on Interstate 405. This Policy Note presents the key findings from the study, followed by a summary of its conclusions.

Introduction

In 2002, state officials agreed to an Interstate 405 Master Plan that included approximately 150 roadway improvements to provide congestion relief for the public and to increase speeds on the I-405 corridor.¹ Officials said they would add up to two general-purpose travel lanes in each direction on I-405, as well as bus rapid transit, vanpools, new interchanges, and auxiliary lanes.

In 2003 and 2005, lawmakers raised the state gas tax in two stages by a combined 14.5 cents per gallon to 37.5 cents. With the tax increases, state lawmakers promised to provide the public with one additional general-purpose lane in each direction between Bellevue and State Route 522, in concurrence with the I-405 Master Plan.

But in 2011, lawmakers approved House Bill 1382, imposing tolls on the promised general-purpose lanes and converting the two-person high occupancy vehicle (HOV) lanes to express toll lanes (ETLs).² State officials said the tolling scheme would benefit all users of the highway – including travelers in the regular lanes.

Additionally, the bill gave the Washington State Transportation Commission (WSTC) authority to set toll policies. The WSTC imposed a minimum toll of 75 cents and a maximum toll of \$10, with computers changing toll prices every five minutes based on a number of factors, including revenue targets, use of the toll lanes, and traffic congestion in the adjacent general-purpose lanes.

As structured, raising additional money for the state became a major policy goal of the tolling program.

In September 2015, the Washington State Department of Transportation (WSDOT) began its two-year ETL experiment.

1 "I-405 Master Plan," Washington State Department of Transportation, 2018, at <https://www.wsdot.wa.gov/Projects/I405/I405MasterPlan.htm>.

2 "House Bill 1382: Concerning the use of express toll lanes in the eastside corridor," Washington State Legislature, May 16, 2011, at <http://app.leg.wa.gov/billsummary?BillNumber=1382&Year=2011>.

Despite the lack of performance, WSDOT officials are fighting to keep the lanes. Maintaining tolls on I-405 is crucial to their wishes to expand tolls to other parts of the region, and to their desire to collect more money from the public.

Failing state and federal performance metrics

Current state law requires two performance measures to both be met: the federal speed requirement and a state revenue requirement. If, after two years, WSDOT officials did not keep traffic flowing 45 miles per hour at least 90 percent of the time, or if revenues failed to cover operating costs, tolls would be removed.

While state officials say they are meeting the revenue requirement (they have collected \$44.5 million from drivers over the last two years, with operations costs of \$15.7 million), they admit they have failed to meet the federal and state requirements for speed reliability.³

This finding is further confirmed by a new study completed by the University of Minnesota. The University was hired by the legislature's Joint Transportation Committee to analyze the ETLs and provide recommendations to improve their performance.⁴

The University study found that although the ETLs are generating significant revenue for WSDOT, they are not meeting the speed requirement. The study authors, who were not allowed by the Joint Transportation Committee to consider terminating the lanes, conclude that the toll lanes should be preserved through various improvements instead. Adjustments to I-405 ETLs, like raising the toll cap above the \$10 limit, could improve travel in the ETLs (but not for drivers in the general-purpose lanes) and would allow the state to continue taking money from the public.

Recommended alternatives to the current model

The current model on I-405 is two toll lanes and three general purpose lanes in the dual lane sections, and one toll lane and two general purpose lanes in the single lane sections. Other alternatives should be considered.

- *One toll lane in each direction on the existing highway.*

Imposing tolls on one lane instead of two would reduce toll prices and would increase general-purpose speeds for all drivers.⁵

- *No toll lanes in either direction on the existing highway; allow private sector to build new tolled capacity instead.*

If the failing ETLs are eliminated and returned to the public in the form of general-purpose and 2+ HOV, public officials should consider working with

3 "I-405 Express Toll Lanes: 24 Months of Operations," Washington State Department of Transportation, January 9, 2018, at <https://www.wsdot.wa.gov/sites/default/files/2018/01/09/Toll-405ETL-24MonthReport.pdf>.

4 "I-405 Traffic Data and Corridor Performance Analysis," University of Minnesota Department of Civil, Environmental, and Geo-Engineering," December 6, 2017, at <http://leg.wa.gov/JTC/Meetings/Documents/Agendas/2017%20Agendas/Dec%202017%20Meeting/I-405DraftFinal.pdf>.

5 Ibid.



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Mariya has lived in both Eastern and Western Washington, and believes strongly in the freedom of mobility for all Washingtonians. She is on the Board of Directors for the Eastside Transportation Association, a member of the Jim MacIsaac Research Committee, and a member of the Women of Washington civic group.

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the private sector to build new managed lanes. Those who cannot pay a toll would receive the benefit of improved travel times on general-purpose lanes that they have already paid for with fuel taxes. Drivers who can pay a toll can do so in new managed lanes.

Conclusion

Toll lanes have worked well in other areas of the country, but WSDOT officials have yet to provide similar benefits to travelers on I-405. Although the toll lanes are generating money for their department, they are failing to meet the state and federal speed performance requirements, and they have not increased mobility for most travelers who depend on I-405 for daily travel.

The money collected from drivers in toll lanes during heavily congested peak travel times provides state officials a strong deterrent against providing general congestion relief. They know that increasing mobility in general-purpose lanes would reduce or eliminate drivers' incentive to pay a toll.

Officials should reconsider this state-centered approach to tolling policy and review alternatives that respond sincerely to public need – increased travel choices for both drivers who can and cannot afford to pay tolls. Increased mobility and choice for everyone is a fairer and better measurement of success.

For a copy of the full study, please visit washingtonpolicy.org, or call WPC's office at 206-937-9691