

WSDOT asking legislature to hide its failure on I-405 tolls

By MARIYA FROST | Feb 5, 2019

BLOG



It's not just enough for the Washington State Department of Transportation (WSDOT) to ask lawmakers to authorize tolls on I-405, SR-167 and SR-509. The Department now wants to make the failing toll lanes *permanent*. This would ensure that tolls continue and WSDOT cannot be held accountable to provide relief for families stuck in gridlock.

This is especially shocking in the case of I-405 toll lanes, which continue to fail the public. To keep the lanes running, state transportation officials need to meet two performance metrics. They must generate enough revenue to cover operations and they must operate 45 miles per hour at least 90% of the time. Lawmakers promised that if WSDOT failed to meet both requirements by the end of the two-year pilot, the toll lanes would be shut down.

Instead of honoring that promise, officials have fought to keep the lanes open and money flowing to the agency.

The two new toll authorization bills that have been dropped – Senate Bill 5825 and its companion, House Bill 1899 – remove the speed requirement and ensure that WSDOT can continue to fail without consequence.

Backroom deals like this are exactly why the public has a hard time trusting state government.

Here is the amended language striking the speed requirement for toll lanes and also nullifying it by making the metric optional:

1 project. The department must automatically adjust the toll rate
2 within the schedule established by the tolling authority, using
3 dynamic tolling, to ensure (~~that average vehicle speeds in the lanes~~
4 ~~remain above forty-five miles per hour at least ninety percent of the~~
5 ~~time during peak hours~~) the most efficient movement of traffic.

30 (4) The department shall monitor the express toll lanes
31 (~~project~~) and shall annually report until December 31, 2030, to the
32 transportation commission and the legislature on the impacts from the
33 project on the following performance measures:

34 (a) Whether the express toll lanes maintain speeds of forty-five
35 miles per hour at least ninety percent of the time during peak
36 periods, or an alternate metric determined by the department in
37 conjunction with the federal highway administration;

Unfortunately, it doesn't end there. The bill also removes the promise that lawmakers made to the public that the toll lanes would be terminated after two years if they were not able to meet both revenue and speed requirements:

12 ~~(5) If after two years of operation of the express toll lanes on~~
13 ~~Interstate 405 performance measures listed in subsection (4) (a) and~~
14 ~~(e) of this section are not being met, the express toll lanes project~~
15 ~~must be terminated as soon as practicable).~~

It's as if the promise was never made.

Lastly, the bill directs toll money collected on I-405 and SR-167 to the state treasury, rather than the constitutionally-protected Motor Vehicle Fund. This would allow lawmakers to spend the money on non-highway purposes.

23 **Sec. 3.** RCW 47.56.884 and 2011 c 369 s 5 are each amended to
24 read as follows:
25 The Interstate 405 and state route number 167 express toll lanes
26 operations account is created in the ((~~motor vehicle fund~~)) state
27 treasury. All revenues received by the department as toll charges
28 collected from Interstate 405 and state route number 167 express toll
29 lane users must be deposited into the account. Moneys in the account

This is another example of government blatantly ignoring taxpayers. Why is it acceptable for public officials to break promises, while the rest of us abide by the rules? Policy choices like those being made in these bills fan the flames of mistrust and the perception that promises are meaningless.