

## **SH 183 Managed Lanes Project SB 1420 Committee Revised Report**

In accordance with Texas Transportation Code, Section 228.013, added by SB 1420, 82nd Legislature, Regular Session, 2011, and Title 43, Texas Administrative Code, Sections 27.90 – 27.92 (the “Rules”), this committee (the “Committee”), consisting of the members identified below, was formed for the purpose of making certain statutorily-required determinations with respect to the SH 183 Managed Lanes Project in Dallas and Tarrant Counties.

The SH 183 Managed Lanes Project (the “Project”) is comprised of SH 183 from State Highway 121 to Interstate 35E. The scope of the Project may include State Highway 114 from International Parkway to Loop 12 and Loop 12 from State Highway 183 to Interstate 35E (“Connecting Facilities”) that are necessary for connectivity and financing purposes. On May 15, 2013, the North Texas Tollway Authority (“NTTA”) confirmed its previous waiver of primacy for the Project and added a waiver of primacy for the Connecting Facilities. On July 19, 2013, the regions Metropolitan Transportation Plan, Mobility 2035 - 2013 Update was approved which included the Connecting Facilities of the Project and SB 1730, 83<sup>rd</sup> Legislature, 2013, which included legislation authorizing the Texas Department of Transportation (“TxDOT”) to enter into a comprehensive development agreement for the Connecting Facilities, became effective September 1, 2013.

The Committee held its duly noticed initial meeting on February 14, 2013. At the initial meeting of the Committee, Michael Morris was elected to serve as Chair and Alberta Blair was elected to serve as Vice Chair.

At its duly noticed meeting on October 1, 2013, the Committee changed determination 1, made on February 14, 2013 (Distribution of the Project’s financial risk) as set forth below. The Committee made the determinations concerning the Project, as required by Texas Transportation Code Section 228.013 and the Rules.

### **1. Distribution of the Project's financial risk.**

The distribution of a project’s financial risk is defined in the Rules as the allocation of revenue risk for a toll project between TxDOT and the private entity with which TxDOT enters into an agreement for the project. Revenue risk for the Project will be retained by TxDOT, as set forth in the comprehensive development agreement.

### **2. Method of financing for the Project.**

The method of financing for a project is defined in the Rules as the determination of whether the project should be funded with private or public funding or a combination of private and public funding. The Project will be financed with a combination of private and public funds, which may include the proceeds of bonds, loan or other obligations.

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3. Tolling structure and methodology.

The tolling structure and methodology as set by the Regional Transportation Council of the North Central Texas Council of Governments (“RTC”) will be used for the Project. The RTC's current tolling structure and methodology, adopted on May 11, 2006 and modified on September 14, 2006, September 13, 2007, December 13, 2012 and June 13, 2013 are set forth in [Exhibit A](#) to this Report.

4. Committee members.

The Committee was comprised of the members required by Texas Transportation Code, Section 228.013 and the Rules, to include, as shown below, a representative of TxDOT, every local toll project entity for the area in which the Project is located, the applicable metropolitan planning organization, and each city and county that will provide revenue or right-of-way for the Project.

Submitted and approved by a majority vote of the members of the Committee present and voting at the meeting held on October 1, 2013:

SH 183 Managed Lanes Project  
SB 1420 Committee Members:

<u>Name</u>	<u>Representing:</u>	<u>Signature:</u>
Michael Morris	NCTCOG	_____
Elizabeth Mow	NTTA	_____
Bill Hale	TxDOT	_____
Antoinette Bacchus	Dallas County	_____
Ramiro Lopez	City of Irving	_____
Rick Galceran	City of Dallas	_____
Gary McKamie	City of Euless	_____

Attachments:  
Exhibit A

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**EXHIBIT A - TOLLING STRUCTURE AND METHODOLOGY**

# **TOLLED MANAGED LANE POLICIES**

## **(Last Updated June 2013)**

1. A fixed-fee schedule will be applied during the first six months of operation; dynamic pricing will be applied thereafter.
2. The toll rate will be set up to \$0.75 per mile during the fixed-schedule phase. The established rate will be evaluated and adjusted, if warranted, with Regional Transportation Council approval.
3. Toll rates will be updated at least monthly during the fixed-schedule phase.
4. Market-based tolls will be applied during the dynamic-pricing phase. During dynamic operation, a toll rate cap will be established. The cap will be considered “soft” during times of deteriorating performance when a controlled rate increase above the cap will be temporarily allowed.
5. Transit vehicles will not be charged a toll.
6. Single and two-occupant vehicles will pay the full rate.
7. Trucks will be allowed and will pay a higher rate.

# TOLLED MANAGED LANE POLICIES

## (continued)

8. High-occupancy vehicles of two or more occupants and vanpools will pay the full rate in the off-peak period.
9. High-occupancy vehicles with three or more occupants will receive a 50 percent discount during the peak period.\* This discount will phase out after the air quality attainment maintenance period. Eligible HOVs must pre-register as part of the HOV pre-declaration process. RTC-sponsored public vanpools are permitted to add peak-period tolls as eligible expenses. Therefore, the Comprehensive Development Agreement firm will be responsible for the high-occupancy vehicle discount and the Regional Transportation Council will be responsible for the vanpool discount. Managed Lane occupancy requirements of 3+ may begin on or before June 1, 2016, resulting in the initial implementation of the existing HOV 2+ policy. HOV 3+ will be implemented when necessary due to operational constraints.
10. The toll rate will be established to maintain a minimum average corridor speed of 50 miles per hour.

\*6 hours per weekday: 6:30 am - 9:00 am and 3:00 pm - 6:30 pm

# TOLLED MANAGED LANE POLICIES

## (continued)

11. During the dynamic-pricing phase, travelers will receive rebates if the average speed drops below 35 mph. Rebates will not apply if speed reduction is out of the control of the operator. This policy is suspended at this time. This policy could be phased in on or before June 1, 2016 after implementation of dynamic pricing. Quarterly reports regarding operator responsibility and customer communication needs will be presented to the RTC previous to implementation.
12. Motorcycles qualify as high-occupancy vehicles.
13. No discounts will be given for “green” vehicles.
14. No scheduled inflation adjustments will be applied over time.
15. Every managed lane corridor will operate under the same regional policy.
16. Adoption of this policy will have no impact on the Regional Transportation Council Excess Revenue Policy previously adopted.
17. The Regional Transportation Council requests that local governments and transportation authorities assign representatives to the Comprehensive Development Agreement procurement process.

# TOLLED MANAGED LANE POLICIES

## (continued)

18. In CDA-leased corridors, the duration of the Comprehensive Development Agreement should maximize potential revenue.
19. Tolls will remain on the managed lanes after the Comprehensive Development Agreement duration.
20. Initially, managed lanes will be enforced manually with technology support. Over time, more advanced technology verification equipment will be phased in.

RTC Approved: May 11, 2006  
RTC Modified : September 14, 2006  
RTC Modified: September 13, 2007  
RTC Modified: December 13, 2012  
RTC Modified: June 13, 2013