Moving to Our Future:

Pricing Options for ***Equitable Mobility***

PBOT
PORTLAND BUREAU OF TRANSPORTATION

POEM Public Comment Report

Date received: 2/5/2021

Comment:

Please provide the two attached documents to the Task Force prior to their February 8, 2021 meeting.

The first is my testimony to the POEM Task Force discussing proposed legislation HB3055 that affects tolling on Portland's freeway system. The second is a letter from Mayor Wheeler to the Oregon Transportation Commission that I reference in my testimony.

Sincerely,

Doug Allen

DATE: February 5, 2020
TO: Pricing Options for Equitable Mobility Task Force
FROM: Doug Allen
SUBJECT: HB3055 proposes changes to Oregon law regarding tolling

In my May 7, 2020 written testimony to you, https://www.portland.gov/sites/default/files/2020-09/meeting5_publiccomment.pdf I covered the "value pricing" mandates set forth in section 120 of HB2017 (2017 legislative session). These requirements were added to ORS as follows: "Value pricing" is defined and mandated by ORS 383.150, while ORS 383.155 defines the "Congestion Relief Fund" into which "value pricing" revenues are placed.

ODOT has now proposed changes to the "value pricing" program. These are set forth in HB3055, start with Section 52. This bill is before the Joint Transportation Committee. https://olis.oregonlegislature.gov/liz/2021R1/Downloads/MeasureDocument/HB3055/Introduced

As you may know, ODOT's Office of Urban Mobility has been developing a congestion management program called "Comprehensive Congestion Management & Mobility Plan (Portland Region)."

A presentation on this plan was given to ODOT's Equity and Mobility Advisory Committee (EMAC) on February 3. See https://www.oregon.gov/odot/tolling/Documents/EMAC_Meeting_6_PPT.pdf (start on page 11).

On February 4, the plan was presented to the Legislature's Joint Committee on Transportation. See https://olis.oregonlegislature.gov/liz/2021R1/Downloads/CommitteeMeetingDocument/230638 (start on page 28). ODOT Director Kris Strickler told the Committee that ODOT realized that they were moving too slowly with tolling, but are now moving forward with a "system-wide" plan. He made it clear that a major goal was to use tolling to fund freeway expansion projects that were mandated by HB2017, but lack sufficient funding.

Given this context, HB3055 does the following:

HB3055 appears to replace "value pricing" to relieve congestion, with "tolling" for funding highway construction, and removes any sense of urgency about moving forward with congestion pricing. It takes the existing "State Tollway Account" which was part of the State Highway Fund, renames it the "Toll Program Fund" and separate it from both the General Fund and the State Highway Fund. Note that the current "Congestion Relief Fund" is already a separate fund.

It repeals ORS 383.155, abolishes the "Congestion Relief Fund," and replaces it with the "Toll Program Fund." It amends ORS 383.150 in several ways. Here are two of the changes made by SECTION 64 of HB3055 (brackets delete, bold is new):
"The Oregon Transportation Commission shall establish a [*traffic congestion relief program*] **toll program**.
"...the commission shall implement [*value pricing to reduce traffic congestion*] **tolling**."

By combining the former "Congestion Relief Fund " into the "Toll Program Fund," HB3055 allows ODOT to pledge any and all tolling revenue to repay bonds for construction projects.

In SECTION 65(5) we see "...the department and the State Treasurer may make covenants with bondholders regarding the imposition and regulation of tolls to meet the department's obligations..." **These covenants can prevent ODOT from adjusting tolls in an efficient and equitable manner, and places the primary value on collecting revenue for bondholders**.

In early 2018, ODOT/OTC's **Value Pricing Policy Advisory Committee** developed recommendations for implementing congestion pricing. Several representatives on the **VPPAC** expressed, separately, the importance of tolling for traffic management versus tolling for project funding. ODOT's consultants to the **VPPAC** provided a lot of material about this important distinction. David Ungemah's presentation to the POEM Task Force on tolling freeways includes an excellent summary of the differences. Find this at https://www.portland.gov/transportation/equitable-mobility-taskforce/events/2020/9/14/poem-community-task-force-meeting (under Meeting Materials)

I have attached a letter to the Oregon Transportation Commission relating to this, signed by Mayor Wheeler. It is important that the City of Portland forcefully insist on the first point in Mayor Wheeler's letter: **"**Value Pricing is a tool to help increase the efficiency and capacity of existing infrastructure. The first and primary objective for this project should be to use variable toll rates to manage traffic congestion in the I-5/I-205 corridor." I ask you as the POEM Task Force to reinforce this recommendation.

If ODOT wants to move forward with tolling to fund projects, such as the Interstate Bridge Replacement Project, the solution may be to keep two separate funds for the different kinds of tolling. Once bonding is involved, bond covenants will restrict ODOT's ability to manage traffic and tolls for equity and efficiency, since the priority will be on the revenue stream for bondholders. Project funding may require 24-hour tolling when it is not needed for traffic management, which of course makes public acceptance of congestion pricing less likely. Portland should insist on appropriate fixes to the language in HB3055.

Sincerely,
Doug Allen

Office of Mayor Ted Wheeler
City of Portland

December 6, 2018

The Honorable Tammy Baney, Chair
Oregon Transportation Commission
355 Capitol Street NE, MS 11
Salem, OR 97301

Dear Chair Baney and Members of the Oregon Transportation Commission:

The City of Portland applauds your work and that of the ODOT Value Pricing project staff to prepare the Oregon Value Pricing Application to the FHWA. The work to-date to consider how pricing, a complex new transportation policy tool, can be brought to Oregon, has been thoughtful and constructive.

As you know, congestion takes a huge toll on the City of Portland and the state of Oregon. It is bad for the economy, for our health, for the climate, and it can be especially harmful to our low-income communities. As our city and our state continue to grow, and transportation technology continues to change, we know that we will need innovative new transportation policies to help us use our existing transportation infrastructure as efficiently as possible. Value pricing is one of these policies and we are pleased to see the advancement of this proposal to the FHWA. As you finalize the application, we request the following changes:

- Value Pricing is a tool to help increase the efficiency and capacity of existing infrastructure. The first and primary objective for this project should be to use variable toll rates to manage traffic congestion in the I-5/I-205 corridor.

- Pricing will also create revenue to help manage traffic congestion. We request that you add, *highway trust fund eligible transit investments,* to the list of projects to be considered for funding from this revenue source. More efficient use of I-5 and I-205 will help to relieve the bottlenecks on these facilities. Investments that support transit, whether the investments support busses on the highways or on parallel routes, will help to manage congestion by reducing single occupancy vehicle trips. Regarding revenue use, we also want to reiterate that revenue from I-5 pricing should not be used to fund I-205 expansion.

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MayorWheeler@PortlandOregon.gov

The City of Portland looks forward to the next stage of policy refinement for this proposal. We appreciate the proposal's three project development priorities around 1) transit, 2) low-income communities, and 3) diversion. We strongly agree that we must create a pricing system that meets the needs of our low-income communities and communities of color. We must also ensure that diversion in North and SW Portland does not increase local congestion or decrease safety on our local streets. Finally, we know that pricing can bring environmental benefits, and we expect that the pricing project will contribute to greenhouse gas and other air particulate reductions.

I thank you for your time and effort on this important project. There are no easy solutions to our congestion challenges and I look forward to working together on this innovative solution.

Sincerely,

Mayor Ted Wheeler
City of Portland

1221 SW Fourth Avenue, Suite 340 ♦ Portland, Oregon 97204
MayorWheeler@PortlandOregon.gov

Date received: 1/17/2021

Comment:

Our transportation system doesn't work for everyone:

That statement is especially true here in "The City that Works" where much of the transportation work being done by PBOT is attempting to socially engineer and dictate how city government and special interest groups think the populous should travel. New housing isn't required to have needed off-street parking. Motorist paid taxes are siphoned off to fund privileged infrastructure for bicyclists that account for about 8% of the Portland area trips and have immunity from taxation. Prior to the pandemic, transit accounted for about 12% of the trips. Fares barely covered just 25% of the operating expenses.

Even with the addition of new specialized infrastructure, the percentages for both bicycling and transit trips have declined over the past few years. The field of dreams/tax the other guy approach to pay for and increase alternative transport percentages has not worked for a decade, and it is not likely to work in the foreseeable future, especially given social distancing as it applies to public transit and people permanently working from home. Instead of a goal to make entire streets flow better, PBOT continues it's quest by spending motorist paid taxpayer dollars on specialized alternative infrastructure projects which in turn adds more congestion for drivers who account for nearly 80% of the Portland area trips. The added congestion occurs when motor vehicle capacity is reduced, often by replacing full service travel lanes with bike lanes and/or with Rose Lanes which can also add VMTs when traffic is diverted onto out of direction routes. This myopic approach increases both fuel consumption and emissions which is then followed by city officials complaining about the negative affects of their own decision making. Not only do these projects not work for the majority of Portlanders, but all too often also have negative impacts in the neighborhoods where they take place. The "Share the Road" bumper stickers that in times past were on city vehicles have been replaced by an radical insurgence style assault on taxpaying motorists to seize and take-over the streets and roadways for the parasitical alternative mode users.

What is "equitable mobility"?

When everybody pays their share for the infrastructure they individually utilize. Alternative mode users need to demonstrate fiscal accountability by paying their own way and not expect a free ride on somebody else's dime.

Can pricing help advance equitable mobility?

Only if the pricing is appropriately applied to the alternative modes. Just and genuine equity requires that everybody pays their share for the specific infrastructure being individually utilized. Motorists pay for the streets and roads curb to curb by way of fuel taxes, license and registration fees, and also pay DEQ fees. Truckers pay a weight per mile tax. Transit riders pay a minimal fare, abet it barely covers just 25% (pre-pandemic) of the operational costs of providing the service. Hikers in the forests pay a permit fee to use the trails. Additionally, there are parking permit fees at trailheads and snowpark permit fees at winter recreation sites. Meanwhile, bicyclists continue to receive more and more specialized infrastructure on streets and roads at the expense of fleecing motorists as if they are an inexhaustible ATMs. Additionally, bike lanes often take away the curb space parking that motorists already pay for with fuel taxes. Any expectation that motorists should subsidize or pay for alternative mode mobility is an absence of equity! Instead of allowing bicyclists to freeload and contribute nothing financially for the privileged specialized

infrastructure they utilize, minimal equity needs to be established by implementing a bicycle license/registration fee starting with no less than $60.00 per year. Likewise, public transit needs to become more financially self-sustainable with fares that better reflect the true costs of providing the service and infrastructure.

POEM Community Task Force:

A more matter-of-fact and accurate name for this task force would be PBOT's "Socialist Policy Implementation Team" (SPIT) clearly demonstrating the direction and public engagement process at PBOT is unmistakably broken. The task force is yet another clear exemplar of a special interest and discriminatory City of Portland/PBOT citizen committee that doesn't even come close to representing all views and voices. Comprising 80% of the mode split, equitable and proportional representation for taxpaying motorists is discriminately being excluded from the conversation with little to no representation at the table. Moreover, preliminary planning is no longer inclusive of the voices from neighborhood property owners, residents and businesses that will be impacted by PBOT's one-sided and one dimensional projects. The task force as charged is an inequitable model of bias social engineering that will only further divide Portlanders. A paradigm shift is needed! The voices from the neighborhood associations and coalitions along with the voices of taxpaying motorists need to be heard as part of the develop and design stage of concepts, then be incorporated into project plans as opposed to just being noted so a public engagement box can be checked off after planning dollars are spent and the dealing is done. There is an old proverb that says "when an elephant dances, the grass gets trampled." Too many PBOT committees and projects now in the hopper resemble an oversized oppressive elephant trampling the grass to make way for a few special interests.

Regional Coordination for Better Mobility:

People vote by driving their cars. Even PBOT has a large fleet of cars as opposed to conduct business as opposed to utilizing bikes and buses for travel. An ODOT survey makes it obvious that a super-majority of public support exists for the I-5 Rose Quarter Improvement Project. Furthermore, fixing the existing bottleneck is not just a Portland-Metro issue. It will also have a positive impact for all of western and northern Oregon, and much of western Washington. For a genuine regional coordination effort to exist, PBOT needs to rejoin the process and pro-actively work in cooperation with ODOT. Tolling on the other hand is opposed by the majority surveyed and therefore should be opposed by PBOT. If for any reason this socialistic social engineering tax program does get implemented, then 100% of the revenues MUST only be used to increase capacity for the payees.

Nearly 10% of the jobs in Oregon are tied to the auto industry, over 28,000 of them at car dealerships. Instead creating more civil unrest, agitation and division by continuing to wage an assault on our mobility freedom of choice which includes PBOT's agenda to replace true Democracy with extremist socialist style policies that financially exploit drivers; it is time to come together and accept the automobile as the mobility choice for the majority of the populous which occurs across the spectrum of race. That requires supporting the needs of drivers.

Just like underlying health conditions that are part of the decision making process when deciding who should be the first to receive the Covid vaccines and the underlying health condition that leads to climate change is the unsustainable and over population of planet earth, the underlying health of our democracy that includes partisan politics and threats to our freedoms of choice is contributing greatly to much of the

civil unrest and dividing us as a city, state and country. A bias, authoritarian government that exploits a stacked deck civic engagement process and implements social engineering tax structures is not a democracy. Bringing us back together requires finding democracy through agreement and common ground, not autocratic arrogance.

Respectively,

Terry Parker

Northeast Portland