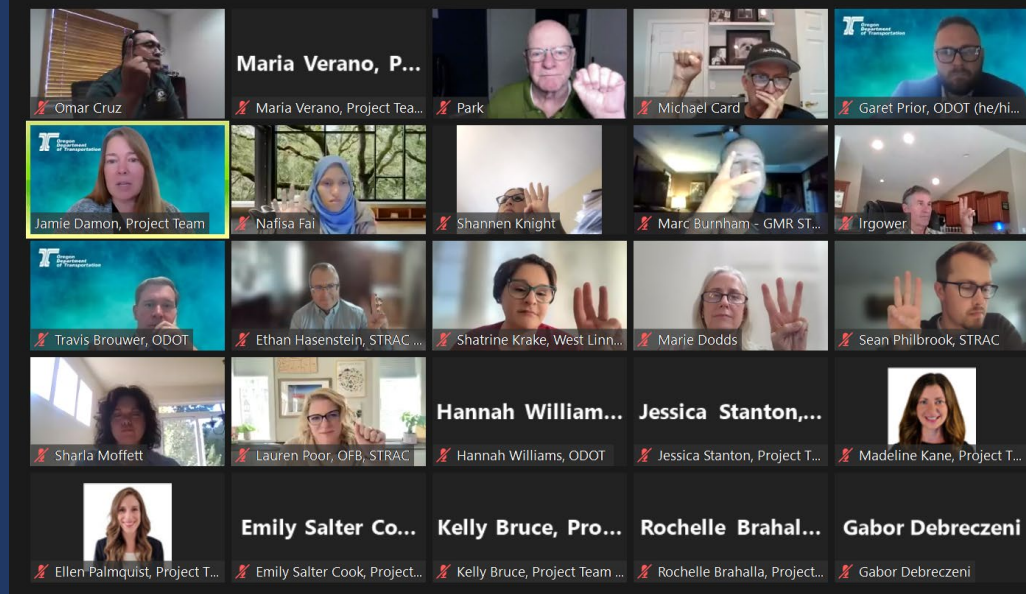


2023 TOLL RULEMAKING ENGAGEMENT REPORT

OREGON DEPARTMENT OF TRANSPORTATION



Prepared for:



Prepared by:



Si desea obtener información sobre este proyecto traducida al español, sírvase llamar al 503-731-4128.

Nếu quý vị muốn thông tin về dự án này được dịch sang tiếng Việt, xin gọi 503-731-4128.

Если вы хотите чтобы информация об этом проекте была переведена на русский язык, пожалуйста, звоните по телефону 503-731-4128.

如果您想瞭解這個項目，我們有提供繁體中文翻譯，請致電：503-731-4128

如果您想了解这个项目，我们有提供简体中文翻译，请致电：503-731-4128

For Americans with Disabilities Act or Civil Rights Title VI accommodations, translation/interpretation services, or more information call 503-731-4128, TTY (800) 735-2900 or Oregon Relay Service 7-1-1.

Consistent with the requirements of 23 U.S.C. 168, the information in this document, and the public and agency input received, may be adopted or incorporated by reference into the environmental review process to meet the requirements of the National Environmental Policy Act.

Table of Contents

1	Report Purpose	1
1.1	Purpose	1
1.2	Engagement Goals	1
1.3	Rulemaking Engagement Process	1
1.4	Background.....	2
2	Engagement Approach and Process	3
2.1	Audience and Activities	3
2.2	Overall Reach.....	3
2.3	Audience and Activities: Statewide Toll Rulemaking Advisory Committee (STRAC)	4
2.4	Audience & Activities: Equity-Focused (Community Engagement Liaison Discussion Groups).....	6
2.5	Audience & Activities: Community Based Organization Discussion Groups	6
2.6	Audience & Activities: Trucking Community.....	6
2.7	Audience & Activities: General Public	7
3	Feedback Received on Toll Rules	8
3.1	Signing Up for Toll Accounts (Enrollment)	8
3.2	Payment System and Data Privacy.....	10
3.3	Toll Discounts and Free Trips (Exemptions)	12
3.4	Vehicle Classification and Cost.....	14
3.5	Toll Rate Setting and Adjustments (STRAC and Public)	14
3.6	Other.....	15
4	Responses to STRAC Input and Community Feedback.....	16
4.1	Responses to Feedback.....	16
5	Next Steps.....	18

Figures

FIGURE 1-1	RULEMAKING ENGAGEMENT TIMELINE 2023-2024	2
FIGURE 2-1	RULEMAKING THREE-LEVEL PROCESS	5
FIGURE 4-1	HOW TOPICS OUTSIDE OF THE RULEMAKING PROCESS WILL BE ADDRESSED	17
FIGURE 5-1	RULEMAKING PROCESS TIMELINE	18

Tables

TABLE 2-1	RULEMAKING KEY AUDIENCES	3
TABLE 2-2	OVERVIEW OF TOLL RULEMAKING ENGAGEMENT ACTIVITIES	3
TABLE 2-3	STATEWIDE TOLL RULEMAKING ADVISORY COMMITTEE MEMBERS.....	5
TABLE 3-1	TIMELINE FOR RULEMAKING TOPICS AND REVIEW OF DRAFT RULES.....	8
TABLE 4-1	RULEMAKING PROPOSED CHANGES AND NEXT STEPS	16

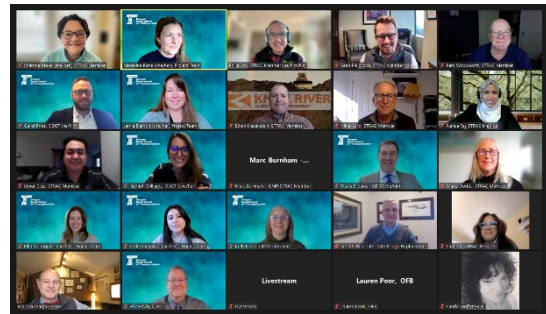
Acronyms and Abbreviations

Acronym/Abbreviation	Definition
CBO	Community-Based Organization
CCD	Commerce and Compliance Division
CEL	Community Engagement Liaison
DMV	Department of Motor Vehicles
EMAC	Equity and Mobility Advisory Committee
MCTAC	Motor Carrier Transportation Advisory Committee
OAR	Oregon Administrative Rule
ODOT	Oregon Department of Transportation
OTC	Oregon Transportation Commission
RTAC	Regional Toll Advisory Committee
STRAC	Statewide Toll Rulemaking Advisory Committee
UMS	Urban Mobility Strategy

1 Report Purpose

1.1 Purpose

This report details the 2023 [Statewide Toll Rulemaking Advisory Committee \(STRAC\)](#) process and the parallel community engagement process for rulemaking. Information in this summary will be shared with the Oregon Department of Transportation (ODOT) and Oregon Transportation Commission (OTC) to prepare for final adoption of the rules in mid-2024.



Statewide Toll Rulemaking Advisory Committee

1.2 Engagement Goals

To gain additional feedback outside of STRAC, the team established the following goals and high-level activities:

Goal 1: Coordinate engagement on rulemaking with existing projects and committees. To align engagement activities, avoid confusion, create efficiencies, and increase awareness about the Oregon Toll Program, the rulemaking project team worked closely with other toll projects and programs, including the Regional Mobility Pricing Project and the I-205 Toll Project. In addition, the team used existing ODOT advisory committees, including the [Equity and Mobility Advisory Committee \(EMAC\)](#) and outreach to trucking customers to co-produce events.

Goal 2: Ensure alignment with the rulemaking process and coordinate feedback to inform the STRAC's work. After feedback on rulemaking topics was received, the project team shared key themes and meeting summaries with STRAC members to inform discussions on rulemaking topics. STRAC members also played a role in crafting outreach questions and sharing opportunities for input.

Goal 3: Build upon past equity-focused toll engagement and relationships. The team built on engagement with communities identified in the [Toll Projects' Equity Framework](#), including Black and African American, Chinese, Vietnamese, Latinx, Russian, BIPOC, Native American, people with disabilities, and youth to center historically excluded and underserved communities. ODOT conducted a variety of activities to engage with these communities including discussion groups with community-based organizations (CBOs) and discussion groups with Community Engagement Liaisons (CELs).

Goal 4: Develop a clear communications strategy and provide key messages to consistent questions or concerns. To offer clear and consistent messaging across multiple platforms, planned engagement activities were communicated through monthly newsletters and STRAC meeting notices. As questions and concerns were raised, ODOT adjusted its messaging to provide clarity.

1.3 Rulemaking Engagement Process

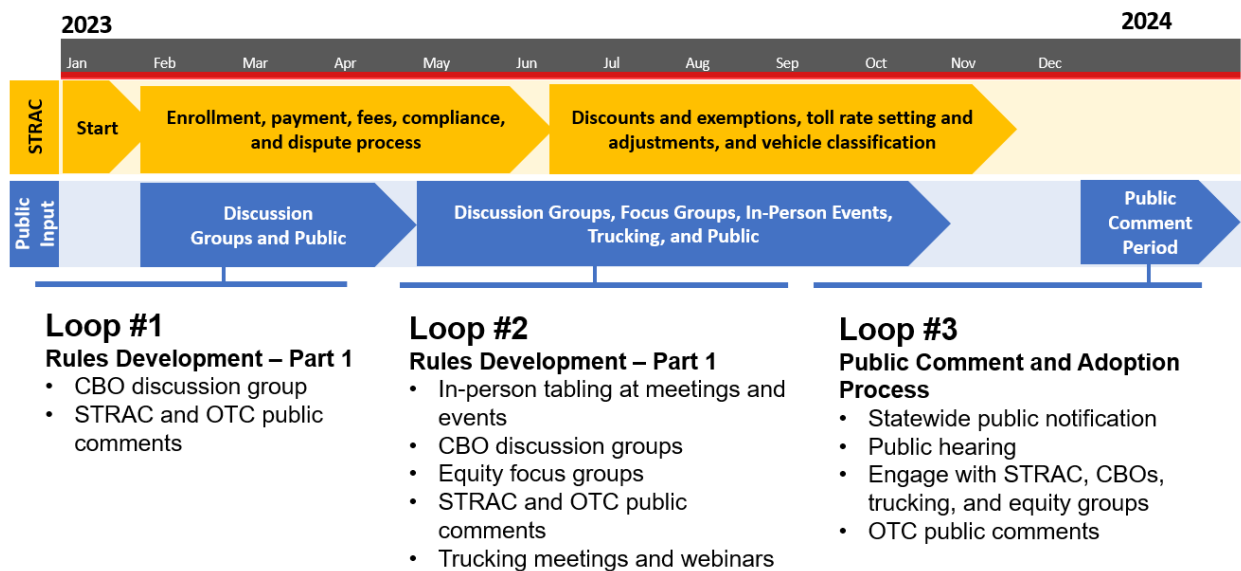
ODOT organized the STRAC to inform the draft rules. The Committee met nine (9) times and members included representatives from key customer audiences: local communities and businesses, transportation providers, employers, and trucking. To provide coordination among other toll advisory committees, STRAC included members of the [Regional Toll Advisory Committee \(RTAC\)](#) and the [EMAC](#).

ODOT conducted an engagement process parallel to the STRAC process to gather feedback from communities on rulemaking topics. Engagement activities included discussions with CBOs; communities identified in the [Toll Projects' Equity Framework](#); tabling events; webinars and meetings with trucking interests; and more. Feedback on rulemaking topics was summarized and shared with STRAC members to help inform the draft rules.

ODOT used the [I-205 and I-5 Toll Projects' Equity Framework](#), a five-step iterative process to help reduce systemic inequities and support the desired outcomes, to create loops within the longer rulemaking decision process.

1.4 Background

Figure 1-1 Rulemaking Engagement Timeline 2023-2024



ODOT worked with community members and regional partners to develop a toll program that raises funds for transportation improvements, keeps drivers moving with less bumper-to-bumper traffic, and minimizes traffic on nearby streets caused by drivers avoiding a toll. Tolls are proposed for only I-5 and I-205 in the Portland metro area. ODOT is in the process of determining how customers interact with and use the toll system and how toll rates are set and adjusted. These decisions will be documented in updates to Oregon Administrative Rules (OARs) through a public process known as rulemaking.

2 Engagement Approach and Process

2.1 Audience and Activities

ODOT identified the following key audiences and engagement activities:

Table 2-1 Rulemaking Key Audiences

Audience	Activity
STRAC Committee	Committee meetings and pre- and post-meeting individual and small group discussions
Trucking	Online meetings and discussions, and individual outreach
Equity-Focused Communities	Community-based organization discussion groups and equity framework community discussion groups
General Public	Public meeting notices, public comments, and in-person tabling events

Details on the process and input gained from these audiences and activities is described later in this report or noted in the Appendix.

2.2 Overall Reach

Between January and November 2023, the project team engaged approximately 4,912 people. The breakdown includes discussion groups (110), trucking presentations (79), and in-person tabling events (4,712).

Table 2-2 Overview of Toll Rulemaking Engagement Activities

Engagement Activity	Timeframe	Level of Participation	Rulemaking Topics
Community Engagement Liaison Discussion Groups	July and August 2023	88 participants	<ul style="list-style-type: none"> Toll accounts Toll payment Discounts and exemptions
Community-Based Organization Discussion Groups	June and September 2023	22 participants	<ul style="list-style-type: none"> Toll accounts Toll payment Discounts and exemptions
Commerce and Compliance Division Brown Bag Webinars	September and October 2023	59 participants	<ul style="list-style-type: none"> Toll accounts Toll payment Discounts and exemptions Vehicle classification

Engagement Activity	Timeframe	Level of Participation	Rulemaking Topics
Motor Carrier Transportation Advisory Committee Meetings	July and October 2023	20 participants	<ul style="list-style-type: none"> Toll accounts Toll payment Discounts and exemptions Vehicle classification
Public Comments for Statewide Toll Rulemaking Advisory Committee	January to November 2023	10 written comments	<ul style="list-style-type: none"> All topics
Statewide Toll Rulemaking Advisory Committee Meetings and Notifications	January to November 2023	9 meetings	<ul style="list-style-type: none"> All topics
STRAC Webpage	December 2022 and ongoing	2,378 views	<ul style="list-style-type: none"> All topics

Additional Toll Program Engagement Activities

The following activities were primarily focused on the I-205 Toll Project and the Regional Mobility Pricing Project but included secondary information related to rulemaking. High level themes for these activities are included in Section 3.

I-205 Environmental Assessment Community-Based Organization Discussion Group	March 2023	13 participants	<ul style="list-style-type: none"> Toll accounts
I-205 Environmental Assessment Community Engagement Liaison Discussion Groups	April 2023	82 participants	<ul style="list-style-type: none"> Toll accounts Discounts
Tabling Events	June – October 2023	More than 4,000 attendees	<ul style="list-style-type: none"> Toll accounts Toll payment Discounts and exemptions
Worksystems Inc. Board Meeting	September	5 participants	<ul style="list-style-type: none"> Toll accounts Discounts and exemptions

2.3 Audience and Activities: Statewide Toll Rulemaking Advisory Committee (STRAC)

Committee Purpose and Membership

The purpose of the STRAC was to advise ODOT on the development of rules that modernize and align with legislative changes and to add needed clarity about toll operations in an equitable, effective, and credible manner. The STRAC charter is available on the [STRAC website](#). Members represented key customer audiences including local communities and businesses, transportation providers, employers, and the trucking industry. To provide coordination among other toll advisory committees, the STRAC included members of the [RTAC](#) and the [EMAC](#). A list of members is included below.

Table 2-3 Statewide Toll Rulemaking Advisory Committee Members

STRAC Member	Organization
Elizabeth Mazzara Myers	Westside Economic Alliance
Jeff Spiegel	Penske Truck Leasing
Lanny Gower	XPO Logistics
Lauren Poor	Oregon Farm Bureau
Marc Ortega Kilman-Burman	Global Medical Response (GMR)
Marie Dodds	AAA Oregon/Idaho
Michael Card	Combined Transport Inc.
Nafisa Fai	Region Toll Advisory Committee (RTAC) Washington County Commission
Omar Cruz	May Trucking
Park Woodworth	Ride Connection
Philip Wu	Equity and Mobility Advisory Committee (EMAC)
Sean Philbrook	Identity Clark County
Shannen Knight	A Sight for Sport Eyes
Sharla Moffett	Oregon Business and Industry
Shatrine Krake	West Linn Chamber

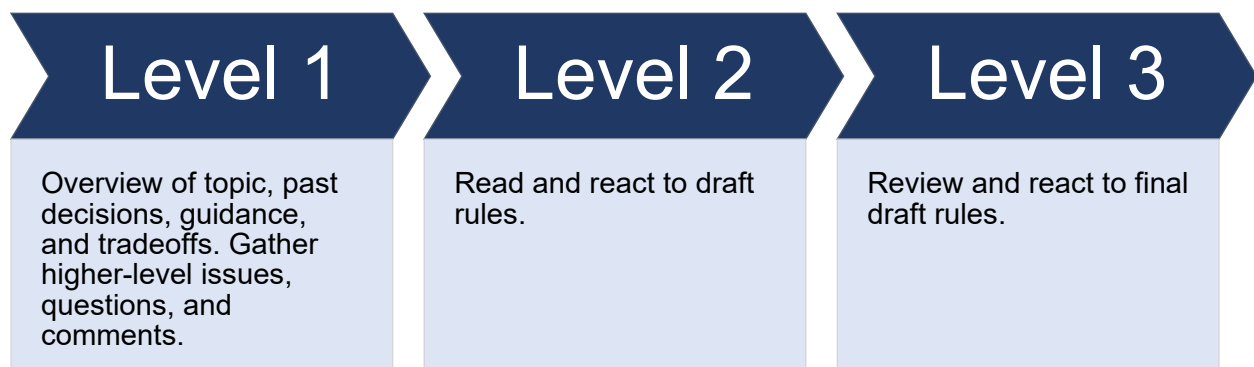
A list of committee members biographies is available on the [STRAC website](#).

Public Meetings and Process

STRAC members met nine (9) times in 2023. Each meeting was three-hours long with the first and last meeting extended. Committee members received meeting materials a minimum of one week in advance. For meetings with more information, materials were provided well in advance. ODOT staff offered “office hours” pre-meetings to help members process the information beforehand and set up individual and small group discussions with members post-meeting to address any remaining comments, questions, or concerns.

The STRAC developed the draft rules in a three-level process that increased in specificity each stage. The following graphic was provided to the Committee at each meeting:

Figure 2-1 Rulemaking Three-Level Process



More information on the STRAC’s process and supportive documents that were created by ODOT to assist in feedback are available in the Appendix.

2.4 Audience & Activities: Equity-Focused (Community Engagement Liaison Discussion Groups)

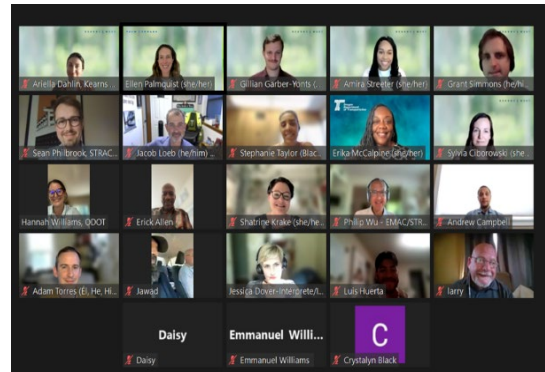
ODOT is continuing conversations across the Portland metro region to build a toll program on I-5 and I-205 that works for communities. In July and August of 2023, ODOT held eight discussion groups in partnership with Community Engagement Liaisons (CELs). These liaisons facilitated conversations with community members who identify as Vietnamese, Chinese, Latinx, Black and African, Indigenous, Slavic, people living with disabilities, and more. The CEL program is vital to ODOT’s outreach work, helping the agency to engage with communities who are often unrepresented in transportation decisions. In these discussion groups, ODOT talked with community members about plans for toll accounts, payment options and process, data privacy, discounts, and exemptions. Participants then shared ideas about how to make it easy to sign up for an account, update information, and pay bills on time.

Community Engagement Liaisons are active community leaders who provide interpretation, translation, and engagement services for toll projects. ODOT has held **41** discussion groups with liaisons since the start of the Oregon Toll Program.

More information on CELs process and supportive documents that were created by ODOT to assist in feedback are available in the Appendix.

2.5 Audience & Activities: Community Based Organization Discussion Groups

ODOT held two 90-minute virtual discussion groups with representatives from CBOs serving historically excluded and underserved communities. Each meeting included background on the Oregon Toll Program and break-out room discussions on rulemaking topics. The Jun. 6 discussion focused on signing up for toll accounts and the toll payment process. The discussion group included live interpretation in Spanish and gift cards were provided for participation. The Sept. 19 discussion focused on discounts, exemptions, and the Low-Income Toll Program. The project team reached out to over 50 CBOs that serve communities along I-5 and I-205 and statewide to participate in the discussions.



June 6 CBO Discussion Group Participants

More information on CBOs process and supportive documents that were created by ODOT to assist in feedback are available in the Appendix.

2.6 Audience & Activities: Trucking Community

In fall 2023, the project team coordinated with ODOT’s Commerce and Compliance Division (CCD) to hold two, one-hour brown bag webinars with members of the trucking community. Each webinar included an overview of the Oregon Toll Program and the rulemaking process. The Sept. 27 webinar focused on enrollment and compliance for commercial accounts and the Oct. 25 webinar focused on vehicle classification and cost. The webinars included time for Q&A and discussion.

The rulemaking project team attended hybrid [Motor Carrier Transportation Advisory Committee \(MCTAC\)](#) meetings on July 20 and Oct. 19. The MCTAC is made up of representatives from ODOT, the Oregon State Police, the trucking community, and related industries with an interest in motor carrier programs. ODOT presented on enrollment and compliance for commercial accounts during the July meeting and vehicle classification and cost during the October meeting. The meetings included brief Q&A and discussion.

More information on trucking process and supportive documents that were created by ODOT to assist in feedback are available in the Appendix.

2.7 Audience & Activities: General Public

Tabling Events

ODOT held more than 28 tabling events between June and Oct. 2023. During the tabling events, the project team encouraged community members to take fact sheets and to share comments or ask questions about the Oregon Toll Program and rulemaking topics. Fact sheets were available in five languages and Community Engagement Liaisons attended several events to provide interpretation services. 4,712 people were engaged at the tabling events.

The project team attended the CCD Motor Carrier Open House on Sept. 13 in Woodburn, Oregon and engaged with 26 members of the trucking community. The event included Oregon Toll Program materials and an invitation to the CCD Brown Bag Webinars in September and October.

Public Meeting Notifications and Public Comments

Community members and interested parties were invited to provide input to the STRAC by sending emails or letters to the project team. Public comments were summarized for the STRAC prior to each meeting. Between January and October 2023, 10 comments were submitted through these channels. Community members and interested parties could also provide public comments during OTC meetings.

ODOT shared notices about STRAC meetings and public comment opportunities prior to each meeting through broadcast email notices to the Oregon Toll Program mailing list of nearly 10,000 subscribers. Meetings and engagement opportunities were also highlighted in the May, July, September, and November Urban Mobility Strategy (UMS) Newsletter.

Members of the public were invited to watch STRAC meetings on YouTube Live. Meeting materials and the meeting recording were uploaded to the [STRAC website](#) prior to each meeting. The project team communicated with STRAC members by email and phone, and held office hours and one-on-one meetings as needed to ensure members were able to fully participate in the public meetings and provide their input.

More information on public input process and supportive documents that were created by ODOT to assist in feedback are available in the Appendix.



ODOT partnered with Community Engagement Liaisons to share information in multiple languages during the Chinese Festival tabling event.

3 Feedback Received on Toll Rules

Throughout the process, input from all audiences helped shape updates to the draft toll rules. Redlined and clean versions of the draft rules were provided to show the changes proposed by ODOT at STRAC meetings. After meetings, rules were noted to include input from STRAC members. The following chart provides information on this process.

Table 3-1 Timeline for rulemaking topics and review of draft rules

STRAC Meeting	Topic(s)	Links to Draft Rules
March 2023	Customer accounts and enrollment	<ul style="list-style-type: none"> • Proposed rules • Rules with STRAC feedback
April 2023	Dispute process, fees, civil penalties, and compliance	<ul style="list-style-type: none"> • Proposed rules • Rules with STRAC feedback
May 2023	Customer accounts, enrollment, dispute process, fees, civil penalties, and compliance	<ul style="list-style-type: none"> • Redlined rules to address previous feedback • Rules with STRAC feedback
September 2023	Discounts and exemptions	<ul style="list-style-type: none"> • Proposed rules • Rules with STRAC feedback
October 2023	Project applications, rate setting, rate adjustments, and vehicle classification	<ul style="list-style-type: none"> • Proposed rules • Rules with STRAC feedback
November 2023	All topics and the fiscal and equity impact statements	<ul style="list-style-type: none"> • Redlined rules to address previous feedback • Rules highlighting previous feedback incorporated • Final draft rules with STRAC feedback • Fiscal and equity impact statements with STRAC feedback

Due to the technical and legally written nature of statewide rules, the project team identified a selection of topics for engagement. This selection was based on past input on areas of concern or question. Topics included: signing up for toll accounts (enrollment), payment system and data privacy, discounts and free trips (exemptions), and vehicle cost and classification.

More information on input and supportive documents that were created by ODOT to assist in feedback are available in the Appendix. This includes STRAC meeting summaries, public comments received, and summaries from trucking and equity-focused engagement meetings.

3.1 Signing Up for Toll Accounts (Enrollment)

In addition to the draft rules, ODOT created a "[Toll Procedures FAQs](#)" document to provide information on the current thinking for detailed enrollment and payment questions. This [document was updated at the May meeting](#) to address comments raised. [Research from six other toll systems](#) was gathered to display existing practices for accounts and what they cost. This information was used to create discussion questions and gather input that is noted in this section.

Key takeaways

Key themes for toll accounts included the following:

- **Partner with trusted organizations.** Partner with community-based organizations to help get people signed up for toll accounts and provide compensation and incentives for these services.
- **Account Incentives.** Interest in paying the least amount for tolls. More people would sign up for toll accounts if they received an incentive, like free trips and saved money.
- **Customer Service.** Interest in making it as easy as possible to sign up for a toll account. Provide locations for people to sign up for a toll account that they visit frequently, like grocery stores, schools, churches, libraries, community gathering spaces, and the Department of Motor Vehicles (DMV). Offer sign up locations in Washington and Oregon. Include account services to help businesses navigate the toll process.
- **Accessibility and Language.** Ensure that websites, apps, and materials meet accessibility guidelines for vision, language, and reading level. Provide in-person toll account services in different languages and mail information in different languages.
- **Toll Workshops.** Plan virtual and in-person events with interpreters available to share information about how to sign up for accounts. Individuals that attend the summit or workshop could become ambassadors for the Toll Program.
- **Information Sharing.** Provide signage on the highways about how to sign up for a toll account. Use social media accounts, including culturally specific accounts, to share information in visual and written formats.
- **Autopay and Pre-Paid Accounts.** Interest in using automatic payments instead of preloading the toll account with funds. Interest in signing up for pre-paid toll accounts to save money and avoid surprises. Frustration that they might pay more with a post-paid account or a mailed bill than a pre-paid account.
- **Compatible Technology.** Use technology that is compatible with other toll systems. This would be especially helpful for commercial vehicles and people that frequently travel out-of-state.
- **Electronic Toll System.** Support for using toll tag technology and all electronic tolls. Interest in how much toll tags would cost.

Similarities across groups

Similarities across groups included the following:

- Participants in most groups shared that they would sign up for an account if it would **save them money**.
- Almost all groups mentioned that they would like to have the opportunity to sign up for an account and **pay toll bills in person**.
- Participants in many groups shared that they would prefer navigating signing up for accounts with the **help of community-based organizations**.

Differences across groups

Differences across groups included the following:

Equity-Focused Community Engagement

- Participants in the Vietnamese discussion group were concerned about having **sufficient funds** to cover toll trips. Participants were interested in having a **pass purchased in advance** to help with budgeting and planning trips. Participants were also interested in setting up **automatic payments** to remove the need to replenish funds.

- Participants in the Vietnamese and Chinese discussion groups shared the importance of creating an **easy-to-use system** with account services in **different languages**.
- Participants in the People Living with Disabilities discussion group shared the need for materials, websites, and apps to meet **accessibility** guidelines.
- Participants in the Slavic discussion group were concerned about the impact of tolling on **families that travel frequently**.
- Participants in the Vietnamese and Black and African discussion groups were interested in receiving **incentives** to sign up for an account.
- Participants in the Chinese, Latinx, and BIPOC discussion groups were supportive of using a **mobile app**. Participants in the People Living with Disabilities discussion group were more hesitant to support the use of an app, because apps are often not as accessible as other options. Participants in the Native American and Tribal discussion group were concerned about the digital literacy of older individuals and difficulties navigating an app and suggested having toll customer service representatives available in-person and over the phone.
- Participants in the CBO discussion group were interested in **contracting with ODOT** to help get people signed up for accounts.
- Participants in the CBO discussion group suggested providing **sign-up locations in Washington and Oregon** and offering workshops to share information about tolling and get people signed up for accounts.

Trucking and Tabling Outreach

- Participants during tabling and trucking outreach activities were interested in using **technology that is compatible with other toll systems**.
- Participants in trucking outreach activities were interested in ODOT providing additional support services for companies to help navigate tolling.

STRAC

- A few members questioned the cost needed to achieve some of the unique enrollment practices being requested.

3.2 Payment System and Data Privacy

In addition to the draft rules, ODOT [created document that identified the proposed system for payment, civil penalties, and disputes](#). This [document was updated at the May meeting](#) to address comments raised. Additionally, ODOT gathered [research from ten other toll systems](#) to communicate best practices for enforcement on unpaid tolls. This information was used to create discussion questions and gather input that is noted in this section.

Key takeaways

Key themes for the toll payment process, updating information, and data privacy included the following:

- **Customer Service.** Employ customer service agents that speak different languages. Offer in-person locations to pay toll bills and ask account questions.
- **Account Reminders and Information.** Send text, email, and social media reminders (including push-notifications) to pay toll bills and update information in multiple languages. Hesitancy exists about using phone calls as a primary method of contact due to phone scams. Support exists for providing a mobile app to manage account information and for having multiple options to interact with accounts. Interest in automatically updating toll accounts when someone's information is updated with the Oregon Department of Motor Vehicles (DMV).

- **Toll Signage.** Provide clear signage with instructions for how to pay a toll bill along highways.
- **Surprise Bills.** Concern about receiving a surprise toll bill in the mail when someone loans their car.
- **Toll Evasion.** Concern about vehicles without license plates not being charged a toll.
- **Citizenship Status.** Concern that unpaid tolls could jeopardize citizenship status.
- **Unpaid Bills.** In cases where someone doesn't pay their toll bill, offer payment plans or waive fees if a customer takes an educational class on how to sign up for an account and pay toll bills. Concern that withholding DMV registration was too strict of a consequence for not paying a toll bill. Support for having some consequences for missing payment.
- **Account Data.** Interest in what steps would be taken to protect bank and credit card information.
- **Mailing Fees.** Questions about how much the fee would be for mailing a toll bill. Frustration that there would be a fee associated with mailed bills.
- **Account Funds.** Questions about when funds in a pre-paid toll account would expire.

Similarities

Similarities across groups included the following:

- In general, participants were interested in a **variety of contact options**, including mail, text, email, and phone for navigating the toll payment process. They shared that the method depended on the age of the customer, digital literacy, and perceptions of legitimacy.
- Participants in most groups were concerned about **protecting personal information** when signing up for accounts, paying for toll bills, or enrolling in the Low-Income Toll Program.
- Many participants were interested in **providing signage along the highway** with information about how to pay a toll and what toll funds were used for. Participants in tabling outreach shared that this would be especially helpful for out-of-state drivers.

Differences

Differences across groups included the following:

Equity Community Engagement

- Participants from the Slavic discussion group **preferred to be contacted by email**. Participants shared that they do not answer phone calls from unknown numbers and do not read physical mail.
- Participants from the Chinese discussion group were **concerned about phone scams** and preferred to receive information by mail because it seemed more legitimate.
- Participants from the Latinx discussion group were concerned about **receiving surprise toll bills** if they loaned someone their car.
- Participants in the Black and African discussion group were concerned that unpaid toll bills could jeopardize someone's **resident status**.
- Participants in the People with Disabilities discussion group expressed their desire for the website and application to be **Web Content Accessibility Guidelines certified** so that they can easily update their information.
- Participants in the Vietnamese and Slavic discussion groups were interested in **updating toll account information automatically through the DMV**.
- Participants in the Vietnamese and BIPOC discussion groups suggested using **mobile and web push-notifications** to prompt people to update their information.
- Participants in tabling outreach were concerned about **vehicles without license plates not paying** tolls.
- Participants in the CBO discussion group recommended using **financial assistance programs** to help people pay their toll bills.

Trucking and Tabling Outreach

- Differences across groups included greater concern for **administrative costs** from smaller trucking companies or businesses that would have to start a new process to maintain and pay toll bills.

3.3 Toll Discounts and Free Trips (Exemptions)

In addition to the draft rules, ODOT [created a document that identified the proposed system](#) for enrollment, recertification, and benefit distribution for the low-income toll program. ODOT gathered research on [existing toll discount and exemption programs](#), existing [regulations, policies, and rules](#), a [comparison chart](#) for different toll agencies approach to discounts and exemptions, research memo on [self-certification](#) as an option for enrollment verification, [analysis of free trip \(exemption\) requests](#) – which was [revised](#) to address comments raised, and a summary of all [feedback received to-date](#) on these topics. [Additional analysis was conducted](#) on multiple low-income toll discount options. This information was used to create discussion questions and gather input that is noted in this section.

Key takeaways

Key themes for low-income discounts and exemptions included the following:

- **Data Protection.** Interest in how data provided for the Low-Income Toll Program would be protected.
- **Income Verification.** Interest in offering a variety of ways to verify income information. Preference for using proof of enrollment in existing programs to qualify for a discount. Interest in using government assistance programs, Medicare and Medicaid, bank statements, employee verification letters, and pay stubs to qualify for a discount. Concern about the lack of verification options for people that are undocumented or unable to work and interest in distributing vouchers for people who are undocumented.
- **Partnering with trusted organizations.** Supportive of partnering with community-based organizations to assist with the income verification process and help people get signed up for the Low-Income Toll Program.
- **Expanding Exemptions.** Interest in providing exemptions for members of Federally Recognized Tribes, refugee and immigrant communities, and people living with disabilities. Some interest in providing exemptions for geographic areas that will be more impacted than tolling and individuals that provide a service, including delivering food, volunteering, driving people living with disabilities, and healthcare workers. Concern that daily commuters may not qualify for a discount.
- **Program Advertisement.** Suggestions for broadly advertising the Low-Income Toll Program to get people signed up.
- **Clear Guidelines.** Suggestions to provide strict guidelines for the application process to reduce fraud. Interest in having clear income requirements. Income requirement fluctuations can make confirming the income status of an applicant more difficult. Concern that certain programs, like child support or housing vouchers, could put individuals over the income threshold. Recommendations to not counting vouchers and child support in the application process.
- **Flexible Benefits.** Interest in having multiple benefit options. For example, being able to choose between a discount or a credit. The value of a discount versus a credit may change depending on an individual's travel patterns and needs. Interest in providing a discount for low-income businesses in addition to individuals.
- **Rideshare Services.** Questions about whether individuals that would qualify for a discount could apply their discount to rideshare services and different vehicles.

- **Balancing Discounts with Toll Rates.** Recognition of the need to balance discounts and exemptions with revenue needs. Many/some were interested in everyone paying to use the highways.

Similarities

Similarities across groups included the following:

- Most participants preferred providing **proof of enrollment in a different program** to qualify for the Low-Income Toll Program.
- Participants were generally supportive of providing a **discount for people experiencing low incomes.**

Differences

Differences across groups included the following:

Equity Community Engagement

- Participants in the People with Disabilities discussion group use **rideshare programs** and were concerned about applying a discount to different vehicles.
- Participants in the Black and African discussion group were interested in providing **bank statements or employee verification letters to qualify** for the Low-Income Toll Program.
- Participants in the Black and African discussion group were concerned about the need for **undocumented individuals** providing personal information to register for a toll account or the Low-Income Toll Program.
- Participants in the Black, Indigenous, and People of Color discussion group were interested in **exemptions** for refugee and immigrant communities, and people living with disabilities.
- Participants in the Native American and Tribal discussion group were interested in an **exemption** for tribes.
- Participants in the CBO discussion group were interested in providing **exemptions** for people living in certain geographic areas and people that are required to drive for work.
- Participants in the CBO discussion group recommended **not including child support and vouchers** when calculating income for a discount program.
- Participants in the CBO discussion group were interested in **partnering with ODOT** to help with income verification and to provide education about the program.

Trucking and Tabling Outreach

- Participants in trucking outreach activities were interested in **limiting discounts and exemptions with revenue needs** to keep toll costs as low as possible for customers. Interest in all drivers paying to use the highways.
- Participants in tabling and trucking outreach were interested in providing a **discount for businesses.**

STRAC

- **Members were a bit divided** among those who wanted to see as limited or no extension of exemptions past what is required by law, compared to those who wanted to see a more robust low-income toll discount.
- Multiple members supported a **local or geographic discount** for those closest to the tolling facilities. Other requests included a **discount for agricultural vehicles** and some type of investment program to **support regional employers in helping their employees and business models adjust to tolls.**

3.4 Vehicle Classification and Cost

In addition to the draft rules, ODOT gathered research on existing [regulations, policies, and rules](#), an [analysis of how Highway Cost Allocation Study](#) will interact with tolls, [memo on how the shape-based classification system](#) would work, a [comparison chart](#) of how other toll agencies classify and charge different vehicles, and a summary of all [feedback received to-date](#) on these topics. This information was used to create discussion questions and gather input that is noted in this section.

Key takeaways

Key themes for vehicle classification included the following:

- **Weight-Mile Tax Considerations.** Questions about how ODOT will balance the weight mile tax with tolling for commercial vehicles. Concerns about the weight-mile tax and toll evasion and interest in cross-referencing out-of-state vehicles.
- **Use of Funds.** Concerns that existing fees for heavy vehicles are not being spent effectively to expand and modernize roads.
- **Oversized Loads.** Questions about how tolling will work for oversized loads and if these vehicles will be able to use I-5 and I-205.
- **Toll Multiplier.** Interest in whether the multiplier will be applied to the total length of the vehicle or by trip segment. Preference for implementing a multiplier by trip.
- **Towed Vehicles.** Questions about how towed vehicles would be tolled.
- **Accessible Information.** Interest in making sure rates are clear, posted ahead of time, and easy to find. Suggestions to provide an interactive map to plan trips and navigate tolls.

Similarities

Similarities across groups included concerns about **balancing the weight mile tax with tolls**.

STRAC

- Although trucking members voiced concerns with the current HCAS findings, they and other committee members were **generally supportive of how the rules were addressing cost responsibility in toll rate setting/adjustments**. The same was true about the shape-based classification system.

Differences

Differences across groups included greater concern for **administrative costs** from smaller trucking companies.

3.5 Toll Rate Setting and Adjustments (STRAC and Public)

In addition to the draft rules, ODOT gathered research on [existing practices](#) for toll rate setting and adjustments, existing [regulations, policies, and rules](#), [research on decision-making and performance metrics](#) of other toll projects, and a summary of all [feedback received to-date](#) on these topics. This information was used to create discussion questions and gather input that is noted in this section.

Key takeaways

Key themes for toll rate setting and adjustments included:

- General support for the simpler, clearer direction on what factors will be used to set toll rates. There has been concern about too many and competing goals (revenue, congestion, equity, climate, etc.).

- Support for the edits made to include “process and outcome equity” in the tolling application, rate setting, and rate adjustment process.

Similarities

Similarities across groups included concerns about **what will happen once tolls are in place**. More specificity on the plan to notify, work with local communities, and have investments ready to address problems was desired.

Differences

Some STRAC members were wary about connecting toll rates too closely to greenhouse gas reduction or climate goals in general. They voiced concerns about the costs to business from other climate regulations in the state.

3.6 Other

Overall, there is still much opposition to tolling in general or the current approach. This was voiced through STRAC members and received in public comments. A few STRAC members oppose congestion pricing or an all-lanes tolling approach to I-205 and I-5.

4 Responses to STRAC Input and Community Feedback

4.1 Responses to Feedback

The final set of draft rules is the culmination of multiple, iterative rounds of review and input with the community and STRAC. At the November 17 STRAC meeting, ODOT presented and discussed draft rules that included the following:

- **Yellow highlights** = Comments received, and topics discussed.
- **Green highlights** = Previously accepted changes due to STRAC feedback.
- **Redlined text** = Changes made to address STRAC feedback.

This [document](#) received a final round of input from STRAC (see [final draft rules with STRAC's comments](#)).

The draft toll rules before the Oregon Transportation Commission at their December 11 meeting include additional revisions to address STRAC comments at their final meeting.

In addition to changes in the draft rules, ODOT received feedback that informed future toll operations development. The following chart identifies feedback or concerns raised, and how ODOT is planning to address this in rules or procedures.

Table 4-1 Rulemaking proposed changes and next steps

Rulemaking Topic	Feedback and Concerns	Proposed Changes and Next Steps
Toll Accounts	<ul style="list-style-type: none"> • Make it easy to sign up for toll accounts. • Make toll accounts compatible with other toll systems. 	<ul style="list-style-type: none"> • Added options to allow drivers to register for an account on the website, by mail, by phone, and in-person. • Establish a system that is interoperable with Washington's toll system on day one and pursue agreements with other existing toll operators (e.g., E-Z Pass) to simplify access to enrollment for customers.
Toll Payment Process and Data	<ul style="list-style-type: none"> • People need multiple payment options. • Work with customers to resolve unpaid bills. • Protect customer data. 	<ul style="list-style-type: none"> • Added options to allow drivers to pay online, by mail, or in-person with credit card, cash, or check. • Added additional time to the payment process to resolve unpaid toll bills with the customer before the debit is pursued through internal collections. State law directs ODOT to place a hold on a driver's license if any tolls are unpaid, but we're planning that to be the last step that would

Draft Toll Rules – Redlined

Statewide Toll Advisory Committee (STRAC) November 2023 Meeting Materials
Date Updated: November 10, 2023

- Yellow highlighted** = Comments received and topics discussed
- Green highlighted** = Previously accepted changes due to STRAC feedback
- Redlined** = Changes made to address STRAC feedback

Department of Transportation
Chapter 731
Division 40
TOLLWAY PROJECTS

PURPOSE

731-040-0010
Purpose

(1) OAR 731, division 040, describes the process for initiating, evaluating, authorizing and administering tollway projects on state right of way proposed by private or public entities. The purpose of these rules is to explain how ODOT selects and operates its tolling program and to:

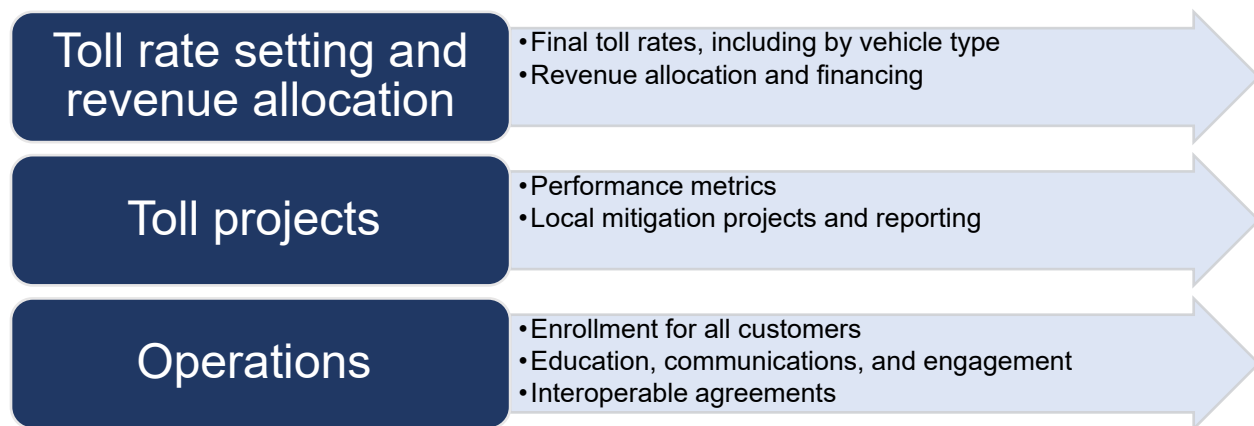
- a) Establish a uniform toll collection and enforcement system for transportation facilities across the state.

Draft toll rules discussed with STRAC on November 17, 2023

		<p>only occur after months of notification and opportunities to reconcile.</p> <ul style="list-style-type: none"> Reinforced ODOT's commitment to state law requirements that limit access to customer data from tolling. ODOT will not be taking and storing pictures of people and information shared with law enforcement will only be accessible by court order.
Discounts and Exemptions	<ul style="list-style-type: none"> Reduce the impacts of tolling on people with low incomes. Consider Oregon's weight-mile tax and cost responsibility system when setting toll rates. 	<ul style="list-style-type: none"> Committed to making the Low-Income Toll Program live on day one of tolling. Limited exemptions to only what is required and necessary (transit, military, Tribal, emergency response and highway safety), to keep the toll rates as low as possible for everyone.
Vehicle Classification	<ul style="list-style-type: none"> Use a classification system that is easy to operate and accepts existing toll accounts. 	<ul style="list-style-type: none"> Developed a shape-based system with width and height guidelines for light, medium, and heavy vehicles that is cost-effective and simple for customers to navigate. This system would be cheaper to set up and maintain than traditional axle-based systems.
Additional concerns	<ul style="list-style-type: none"> Electric vehicles will be exempt from paying tolls. People from out of state will be exempt from paying. 	<ul style="list-style-type: none"> Electric vehicles and people from outside of Oregon will not be exempt from paying tolls. They will have to pay tolls like any other non-discounted or exempt group.

For concerns and questions about information outside of toll rules, ODOT created the following graphic to show where those topics will be considered or addressed.

Figure 4-1 How topics outside of the rulemaking process will be addressed



5 Next Steps

In November 2023, the STRAC provided final input on the draft toll rules. This input and a set of draft rules will be brought before the Oregon Transportation Commission at their December 11 meeting for feedback and direction. Between December 2023 and early 2024, ODOT will prepare for public comment period engagement, conduct a thorough review of the draft rules with the Department of Justice, and publish the rules on the Secretary of State’s website. ODOT will hold a public comment period and outreach in early 2024, with plans to bring the rules to the OTC for possible adoption in mid-2024.

Figure 5-1 Rulemaking Process Timeline

