

# Eastside Transportation Association

*“Dedicated to improving our quality of life and environment by reducing congestion through increased mobility”*

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**ETA’s position on the  
Draft I-405 Traffic Data and Corridor Performance Analysis  
December 6, 2017, University of Minnesota  
January 3, 2018**

The Joint Transportation Committee (JCT) of the Washington Legislature retained the University of Minnesota Humphrey School of Public Affairs (the University Team) to conduct an independent analysis of the operation of the I-405 Express Toll Lane (ETL) facility authorized in 2011 by RCW 47.56.880. The draft report was released on Dec. 6, 2017.

The Draft report concludes that the I-405 Express Toll Lane (ETL) facility fails to meet the ETL Speed Performance Measure established by RCW 47.56.880(4)(a). Subsection 5 of the statute states:

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

Therefore, with the draft report confirming that subsection (4)(a) – the speed measure – is not met, the ETLs ‘must be terminated as soon as practicable’ in accordance with RCW 47.56.880.

In 2016 WSDOT changed the operation of the ETL facility from a 24/7 operation to a weekday 5 am to 7 pm operation in one week, simply by changing the message on the electronic signs and making minor signing and pavement marking changes. Clearly, WSDOT can change the electronic signs to “Open to All” over night with a push of a button.

Compliance of the speed measure is not being achieved and therefore continuing the ETL operation is illegal. The Joint Transportation Committee should inform the Governor that the law has not been complied with and formally request the Governor to instruct WSDOT to terminate the ETLs immediately.

The balance of the University of Minnesota report is a discussion of their data analysis of WSDOT’s data to suggest how WSDOT can change the operating policies in order to meet the statute relating to speed. The study does not address the most critical aspect of the study scope which was to evaluate performance under other lane type operations including an all-general-purpose-lane alternative.

The University Team's recommendations are:

1. **Change the dynamic toll algorithm.** Likely a good idea to charge more sooner if the goal is to increase congestion in the GP lanes.
2. **Segmented tolling.** May be a reasonable option if legal tolls are achieved through legislative action in 2018. Caution is required to prevent additional confusion to an already incredibly complex tolling scheme.
3. **Move toward more "open access".** This is a bad idea because it would tend to increase the weaving friction between the ETLs and the general purpose (GP) lanes.
4. **Increase the Maximum Toll Rate.** This would unreasonably increase the cost to the ETL users and further increase the congestion in the GP lanes. This is a response to the failure of the tolling scheme to maintain the desired operation of the ETLs. Increasing (or eliminating) the maximum toll would increase the volume and therefore congestion in the GP lanes.
5. **Adjust the AM Peak period times.** This appears to be recommendation to improve performance of the ETL's to meet the statutory requirement but at the expense of the GP lanes. It would chase 2+ HOVs into the GP lanes between 9 and 10 am thereby increasing congestion. The Federal Highway Administration (FHWA) rule on HOT lane operation is to operate at least 45 MPH 90% of the time during the **single** am and pm peak hour. WSDOT morphed that to a four hour peak period, and still failed. Now the University Team suggests making it five hours or tweaking the peak period.

The Federal Highway Administration (FHWA) addresses the standard here:

***Degraded Facility - 23 U.S.C. 166(d)(2)***

*A degraded facility is defined as one that does not meet minimum average operating speed of: 45 miles per hour (MPH) for 90 percent of the time over a 180-day monitoring period during morning and evening weekday peak hours (or both), in the case of a HOV facility with a speed limit of 50 MPH or greater;*

6. **Extend the second full ETL in each direction.** Certainly, more capacity for the corridor will increase speeds.
7. **Add Capacity.** The Approved I-405 Master Plan requires exactly this as approved by the 27 local jurisdictions in the corridor in 2002, memorialized by the FHWA with its Record of Decision in 2003, promised to the taxpayers with the gas tax increases in 2003 and 2005 and as approved by the voters by the rejection of Initiative No. 912 in 2005.
8. **Increase transit.** Sound Transit 3 and Metro Connect do this already.

The University of Minnesota's Scope of Work in the contract with the Joint Transportation Committee included Task 3 as follows:

***TASK 3: DEVELOP RECOMMENDATIONS TO IMPROVE TRAFFIC PERFORMANCE IN THE CORRIDOR***

*In Task 3, the Consultant shall develop recommendations for near-term and longer-term strategies for the improvement of traffic performance in this corridor, and along key underperforming segments of it. As part of this Task, the Consultant shall evaluate the following, in addition to any other opportunities for improvement the Consultant may deem feasible:*

- Changes to toll rate setting and the dynamic rate-setting algorithms;*
- Changes to lane designations and restrictions;*
- Various combinations of lane types for this corridor, i.e., ETL, HOV lanes, and general purpose lanes, including proposing the optimal combination of lane types based on current and near-term roadway capacity and the likely optimal combination of lane types in the context of future plans for the corridor; and*
- An all-general-purpose-lane alternative for the currently-tolled corridor.*

*The Consultant shall state any assumptions made regarding operational and capacity improvements in the corridor for each evaluated scenario. To the extent feasible, recommended strategies should address how they could be impacted by the timing of operational and capacity improvements in the corridor.*

*Recommended strategies should also include the impacts on bus transit in the corridor to the extent this can be determined.*

*Deliverable: White paper*

The University Team failed to address the last three bullets in the above four bullet list of critical items for evaluation. ETA looks forward to the promised White Paper as required by the contract.

ETA's attached May 11, 2017 letter to Representative Clibborn and Senator King reflects our concern regarding the then proposed Scope of Work for the independent analysis. We remain concerned that the relevant analysis has not been completed for rational decisions on the continuation of the ETL Pilot project.

ETA supports removing the I-405 ETLs now and reverting to a single lane 2+ HOV lane in each direction for the full length between Bellevue and Lynnwood while installing enhanced friction reducing techniques to ensure speed reliability for current and future buses and carpools operating in the corridor. See our attached position paper.