

Phase 1 South: American Legion Bridge I-270 to I-370
Toll Rate Range Setting Process
Public Comment Period 2 Summary Report
November 10, 2021



Maryland
Transportation
Authority

Executive Summary

On September 30, 2021, the Maryland Transportation Authority (MDTA) Board voted to open a second public comment period as part of the toll rate range setting process for proposed High Occupancy Toll (HOT) lanes for Phase 1 South: American Legion Bridge I-270 to I-370. The four-week public comment period began on September 30, 2021, and continued until 5PM, October 28, 2021.

Public comment was accepted on the recommended toll rate ranges, which reflected a new base minimum per-mile toll rate of 17 cents per mile – lower than the 20 cents per mile proposed May 20, 2021 – as a result of comments received during the first public comment period that ran from May 20 to August 14, 2021.

Elements of the recommended action (recommended toll rate ranges) included:

I. Minimum and Maximum Toll Rate Ranges

- This is the lowest and highest per-mile toll rates that may be charged within any tolling segment. The minimum toll rate also refers to the lowest total toll (not per mile) that may be charged, regardless of how far a vehicle travels, to ensure short HOT lanes trips are charged a flat minimum toll to cover toll collection costs. There are no changes from the May 20 proposal to the maximum per-mile toll rates nor to the minimum toll rate (not per mile).

II. Soft Rate Cap

- A per-mile toll rate within each toll rate range that can only be exceeded if and when vehicle speed is reduced, or traffic volumes increase, to predetermined speed and throughput thresholds. The caps protect our customers by ensuring that the Section Developer may only exceed a specific per-mile toll rate (within the approved ranges) for the impacted tolling segment as specified by the predetermined thresholds. This will provide drivers choosing to use the HOT lanes a faster and more reliable trip. There are no changes from the May 20 proposal to the soft rate cap.

III. Discounts

- To provide opportunities for faster, more reliable carpooling, vanpooling and transit options; free passage will be granted in the HOT lanes for High Occupancy Vehicles (HOV) 3+ (all vehicles carrying three or more passengers) and buses, as well as for motorcycles. There are no changes from the May 20 proposal to the discounts.

IV. Escalation Factors

- The approved toll rate ranges are intended for the duration of the Phase 1 South agreement. For the toll rates to effectively manage demand and ensure reliability for users of the HOT lanes into the future, the maximum toll rate range, soft rate

cap and unregistered video surcharge will escalate over time to account for inflation, population employment, and income growth. The minimum per-mile toll rate and minimum toll are subject to escalation for inflation only. There are no changes from the May 20 proposal to the escalation factors.

Public comments for the official record could be submitted September 30 to 5PM October 28, 2021, through a number of methods including an online comment form, U.S. mail, 24/7 voicemail, and email. Comments received from respondents were categorized according to the element of the recommended toll rate ranges that was commented on. If a respondent provided multiple comments on several different elements, those comments were counted individually. A total of 95 respondents provided comment, with their comments categorized into 164 total individual comments. Ninety-one percent of the comments (150) were received via the online comment form. Comments received via email accounted for the remaining 9% (14). Categorizing the comments by element of the recommended toll rate ranges, there were 33 comments (20%) regarding the minimum and maximum toll rate ranges, 10 comments (6%) regarding the soft rate cap, 17 comments (10%) regarding the process for annual escalation, 26 comments (16%) regarding the toll discounts, and 78 comments (48%) regarding different issues associated with the MDTA that were categorized as “other.”

Of the 95 total respondents, 51 respondents provided their location via full address or just their zip code. The majority of comments were received from Montgomery County, accounting for 78% (40), followed by Frederick County at 8% (4), Prince George’s County at 6% (3), Baltimore City at 2% (1), Howard County at 2% (1), Carroll County at 2% (1), and Worcester County at 2% (1). Most comments were received from areas near Rockville, MD.

Through the online comment form, the public was able to express their support or opposition to various aspects of the recommended toll rate ranges. **Figure 1** shows the final breakdown of support and opposition for these topics. Responses received during the second comment period are comparable to responses received during the first comment period.

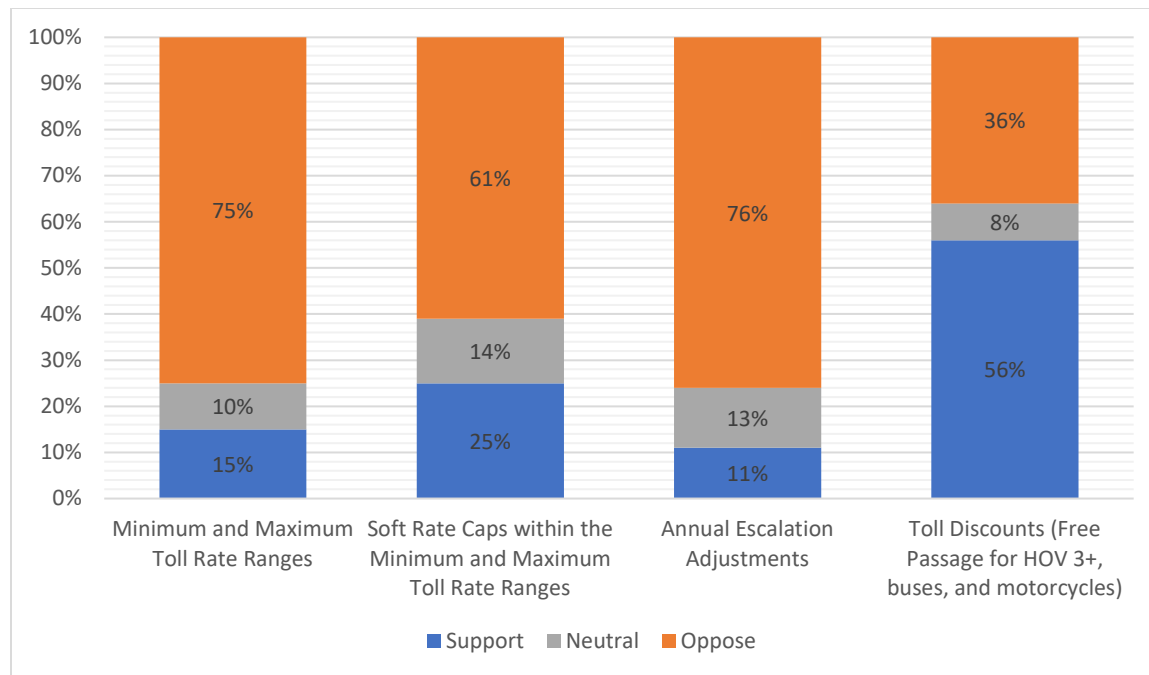


Figure 1 - Public Responses (Support, Neutral or Oppose) to Elements of the Recommended Toll Rate Ranges for Phase 1 South: American Legion Bridge I-270 to I-370

In addition, comments were submitted by the public outside of the scope of the Phase 1 South: American Legion Bridge I-270 to I-370 Toll Rate Range Setting Process. These included expressing opposition to the Managed Lanes Study’s Preferred Alternative for Phase 1 South, concern over a Public Private Partnership (P3), and requests for the exploration of mass transit alternatives to adding toll lanes.

The following report covers in greater detail the process MDTA utilized to gather public comments and a summary of the comments received.



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I. Public Comment Process

On September 30, 2021, the Maryland Transportation Authority (MDTA) Board voted to open a second public comment period as part of the toll rate range setting process for proposed High Occupancy Toll (HOT) lanes for Phase 1 South: American Legion Bridge I-270 to I-370. The four-week public comment period began on September 30, 2021, and continued until 5PM, October 28, 2021.

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- To provide opportunities for faster, more reliable carpooling, vanpooling and transit options; free passage will be granted in the HOT lanes for High Occupancy Vehicles (HOV) 3+ (all vehicles carrying three or more passengers) and buses, as well as for motorcycles. There are no changes from the May 20 proposal to the discounts.

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- The approved toll rate ranges are intended for the duration of the Phase 1 South agreement. For the toll rates to effectively manage demand and ensure reliability for users of the HOT lanes into the future, the maximum toll rate range, soft rate

cap and unregistered video surcharge will escalate over time to account for inflation, population employment, and income growth. The minimum per-mile toll rate and minimum toll are subject to escalation for inflation only. There are no changes from the May 20 proposal to the escalation factors.

A total of 164 comments from 95 respondents were received throughout the public comment period, which began on September 30, 2021, and continued until 5PM, October 28, 2021.

Submission Methods

Public comments for the official record could be submitted through a number of methods including an online comment form, U.S. mail, 24/7 voicemail, and email. All methods were advertised to the public. The distribution of submission methods is illustrated in **Figure 2**. A summary of the total comments received per each comment method is illustrated in **Figure 3**. The comment form is included as **Appendix A**.

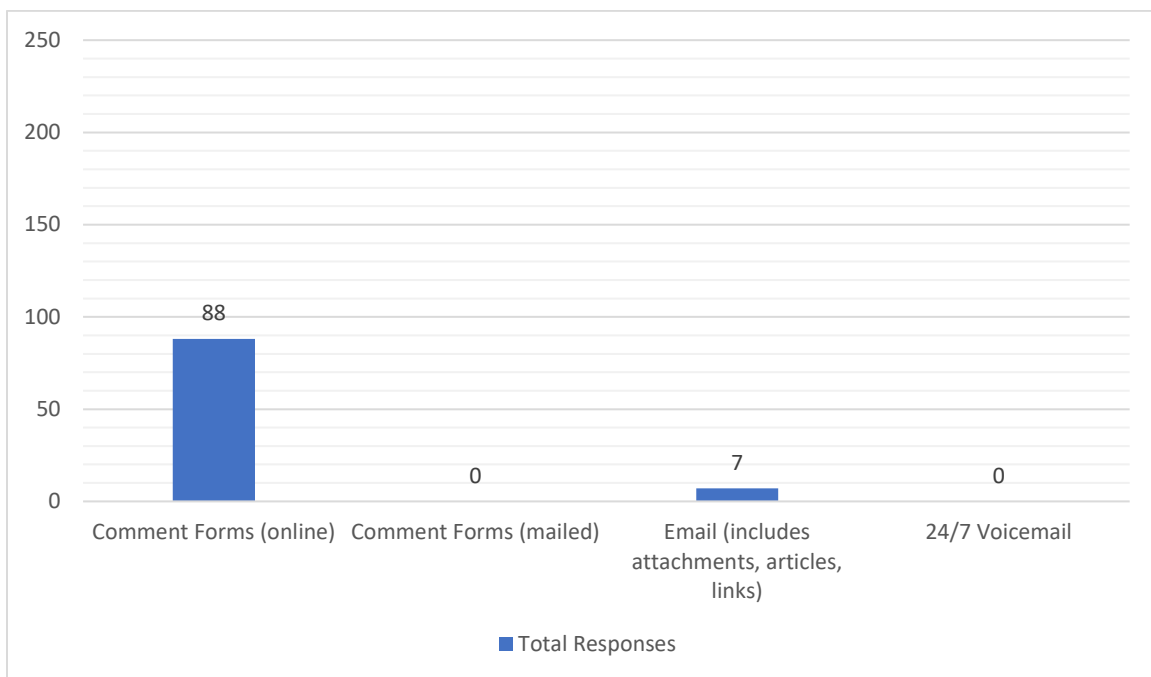


Figure 2- Responses by Comment Method (Total Responses, 95)

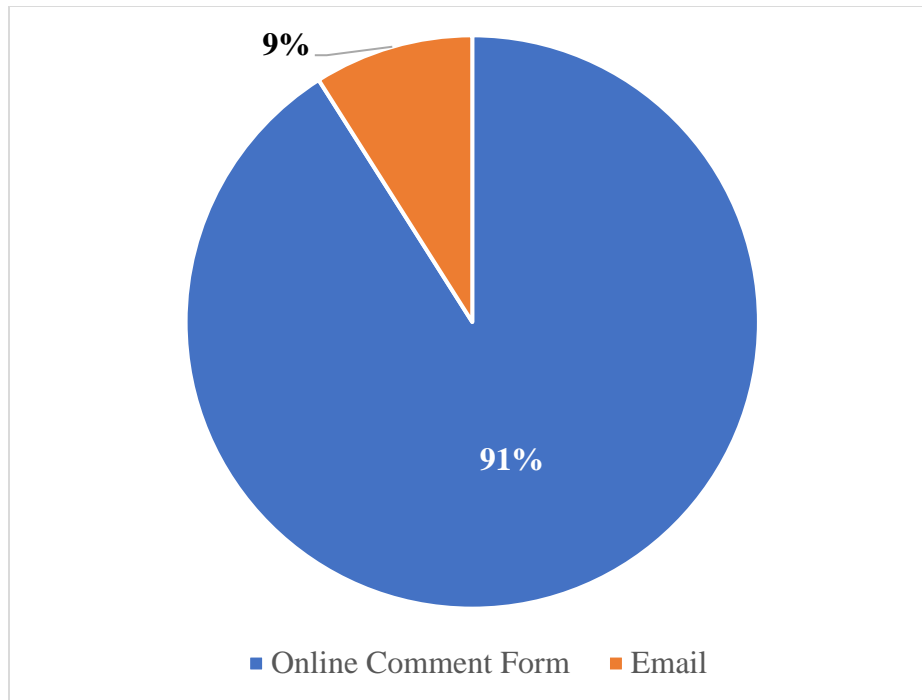


Figure 3- Percentage of Comments by Source (Total Comments, 164)

Comments received from respondents were categorized according to the element of the recommended toll rate ranges that was being commented on (**Table 1**). If a respondent provided multiple comments on several different elements of the recommended toll rate ranges those comments were counted individually. A total of 95 respondents provided 164 total individual comments. Most comments received 91% (150) were received via the online comment form. Comments received via email accounted for the other 9% (14).

Table 1– Total Number of Respondents and Comments by Method

Comment Method	Respondents (No.)	Comments (No. / % of Total)
Comment Form (online)	88	150 / 91%
Comment Form (hard copy)	0	0 / 0%
Email (attachments, letters, links)	7	14 / 9%
Voicemail (24/7 line)	0	0 / 0%
Total	95	164

Data Collection

To improve the quality of data collected and to better analyze the results of the specific responses, MDTA utilized Public Input Community Engagement Software (Public Input). A comment form was developed and made available to the public via the project website online

(via Public Input) and by hard copy. The online comment form could be completed electronically or downloaded to fill out and provide to the MDTA via email or U.S. Mail. The comment form was tailored to prompt respondents to select (via check boxes) whether respondents supported, were in opposition to, or were neutral towards each tolling element. The comment form also included space for respondents to provide written comments to expand further on their selection. In addition to elements of the recommended toll rate ranges, the comment form also requested information from respondents on how often and which MDTA facilities they utilize, how they pay tolls, and their zip code, which enabled improved data quality and better data analysis. It also reduced data entry by MDTA staff as submissions were entered by the public directly into the database used for analysis.

In addition to capturing comment form responses, Public Input also captured all emails sent to the project email address (ALB270TollSetting@mdta.maryland.gov).

Each comment received, regardless of method, was reviewed and categorized by MDTA staff.

II. Respondent Data Analysis

Respondent location information was not required to be provided with each comment; however, this data was requested from each of the comment form respondents and was able to be obtained from addresses provided in emails. Of the 95 total respondents, 51 respondents provided their location. All of the respondents who provided location data were from Maryland. **Figure 4** presents a map that indicates the location of comment respondents.

The majority of comments were received from Montgomery County, accounting for 78% (40), followed by Frederick County at 8% (4), Prince George's County at 6% (3), Baltimore City at 2% (1), Howard County at 2% (1), Carroll County at 2% (1), and Worcester County at 2% (1). Details of the comments provided by zip code can be found in **Appendix B**.

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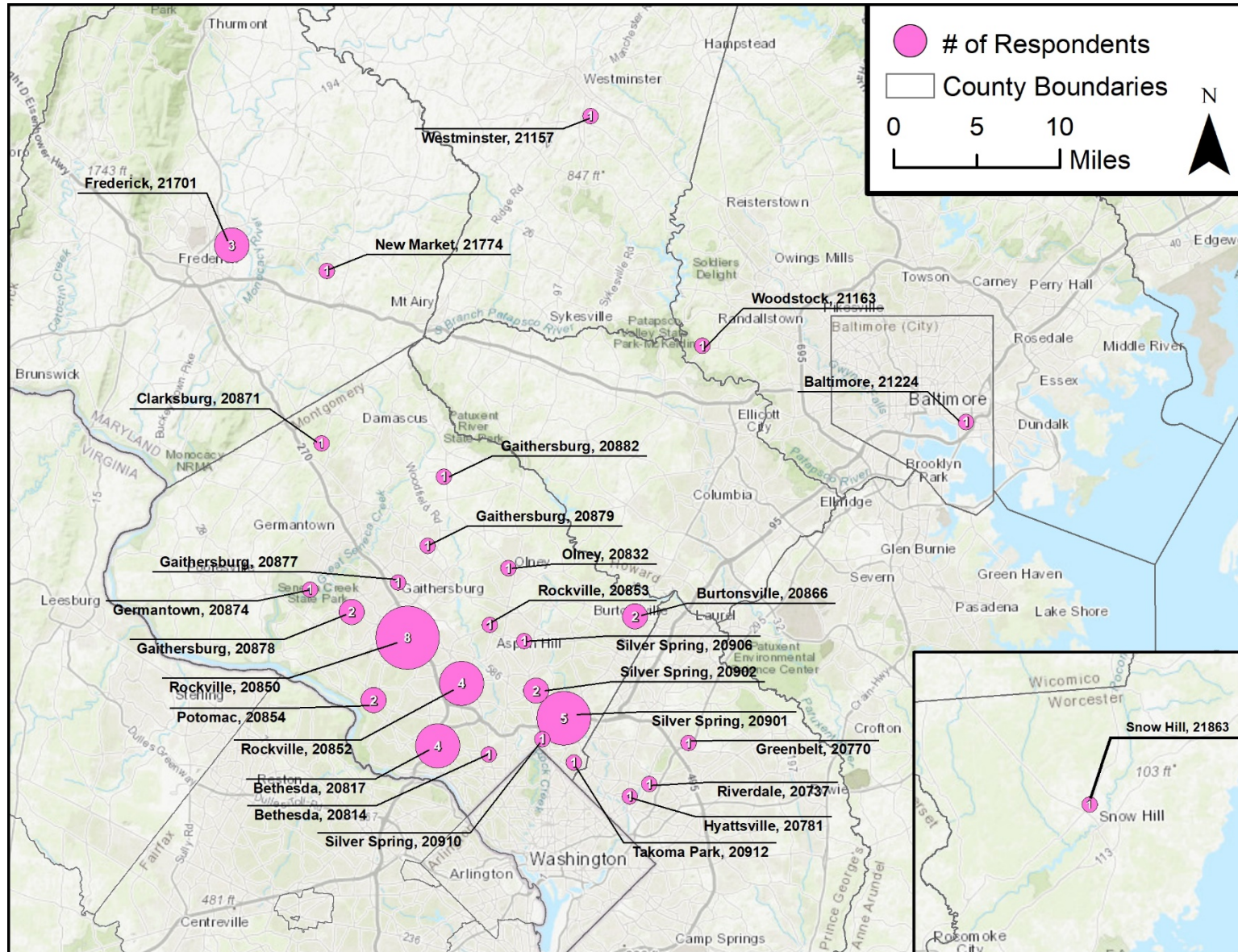


Figure 4- Public Comments by Zip Code

Of the 88 comment forms received, 75 respondents provided input on how often they regularly travel within the project limits. A majority of the respondents (44%) answered that they travel within the Phase 1 South: American Legion Bridge I-270 to I-370 limits three or more times a week. The total number of respondents for each usage frequency are displayed in **Figure 5**.

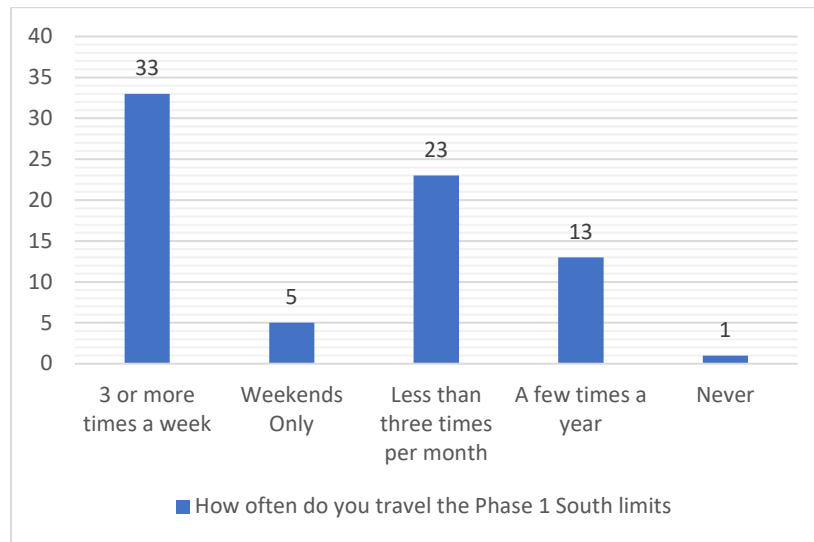


Figure 5- Frequency of Usage

In addition to location data and frequency of usage, the comment form requested specific information regarding how toll facility users pay their tolls. Of the 88 comment forms received, 75 respondents provided input on how they pay for tolls. A majority of the respondents (83%) answered that they pay using *E-ZPass*[®]. The total number of respondents for payment type are displayed in **Figure 6**.

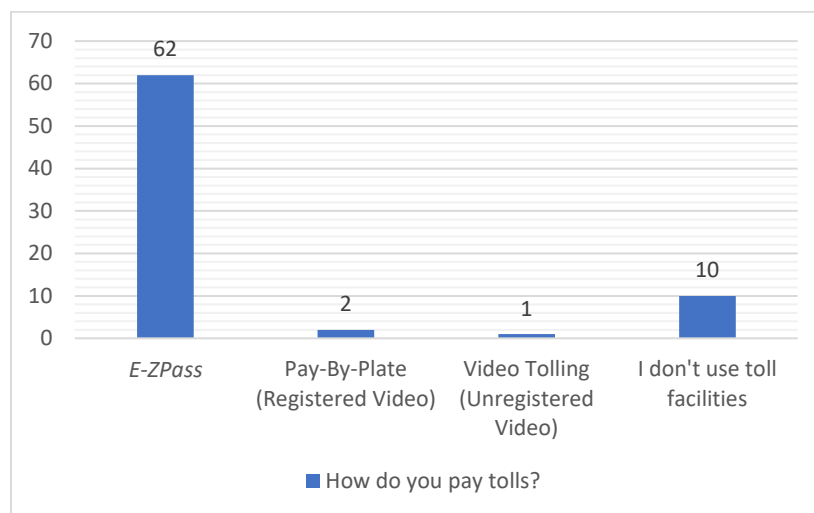


Figure 6- Payment Types

III. Comment Summary and Analysis

Public comments on the recommended toll rate ranges for Phase 1 South: American Legion Bridge I-270 to I-370 were solicited for each element, including minimum and maximum toll rate ranges, soft rate caps, annual escalation, and discounts. While the email comment method provided an opportunity for the public to provide feedback on the recommended toll rate ranges, comments received via email did not always address specific elements and were instead related to the general concept of tolling, public-private partnerships (P3s), and the Managed Lanes Study's Preferred Alternative. Conversely, the comment form provided more structure than the email method; however, respondents still often provided feedback on the comment form that was general in nature or provided the same response for all elements of the recommended toll rate ranges, such as, "no tolls." It should also be noted that with the comment form, some respondents checked off their selection for "support," "oppose" or "neutral" for each element but did not leave a written comment. Others left written comments for certain elements but did not check off their selection for "support," "oppose" or "neutral."

Respondents' selections for "support," "oppose" or "neutral" on the comment forms were not counted as comments; only written comments provided in the additional space on the comment form or via other methods (email) were counted as comments.

Given the various comment methods available, some respondents chose to provide comments through more than one method. For this analysis, comments were not counted in the totals if they were duplicative of a previously received comment by the same respondent. However, for example, if a respondent provided comments via both comment form (first) and email (second), any unique comments provided in the email that were not already captured by the comment form were counted in the totals shown in this summary report.

The discussion below shows results by recommended toll rate ranges element and a summary on the type of comments received:

Minimum and Maximum Toll Rate Ranges

Comment Form Results: Of the 88 comment forms received, 85 respondents selected a check box noting whether they support (15%), are neutral (10%), or oppose (75%) the recommended minimum and maximum toll rate ranges.

All Comments: Of the 164 total comments received (all methods), 33 provided an opinion regarding the recommended minimum and maximum toll rate ranges.

The most common themes provided included general opposition to tolls and that the recommended toll rates are too high.

Comment from 9/30/2021 @ 4:54pm states:

“Toll rates only benefit those who have money to afford them. Thus, the lower working class will be affected and taxed the most.”

Comment from 10/1/2021 @ 9:00am states:

“The maximum toll rate is still too high. The maximum rate could be more than \$45 for a one way trip. This is outrageous and gives no consideration to the hot lanes continuing past 370. Those living north of 370 could be hit with a \$100 one way trip eventually. In addition, those working an hourly minimum wage job would be greatly impacted as although they can "chose" to use the general lanes at no charge they would be forced to sit in heavier traffic or spend 100% of their earnings on a commute. The maximum range should be reduced to under \$2 per mile.”

Comment from 10/21/2021 @ 8:06pm states:

“No explanation of how these rates were set, except that the minimum toll supposedly is designed to cover costs of toll collection and monitoring. For both rates of how were they was calculated?; No Tolls. Highways are a public good and should be funded by the state thru its bonding authority. Get rid of the grifter Australian companies. They are just siphoning off funds from the system, with no benefits to drivers or taxpayers.”

The following comment is from a respondent that provided their support for the recommended minimum and maximum toll rate ranges.

Comment from 10/22/2021 @ 6:30am states:

“Rates should be charged based on vehicle cost/value. More expensive vehicles should pay higher rates with minimum and maximum rates.”

Soft Rate Caps within the Minimum and Maximum Toll Rate Ranges

Comment Form Results: Of the 88 comment forms received, 72 respondents selected a check box noting whether they support (25%), are neutral (14%), or oppose (61%) the recommended soft rate caps within the minimum and maximum toll rate ranges.

All Comments: Of the 164 total comments received (all methods), 10 comments provided an opinion regarding the recommended soft rate caps. The most common themes that developed were general opposition to dynamic tolls, and that it is unclear how the soft rate cap will be implemented.

Comment from 10/21/2021 @ 8:06pm states:

“How will the developer set rates between the minimum and the SRC? No explanation. How are they going to monitor the above "triggers"? Will they be placing cameras, videocams, and radar along each segment?”

Comment from 10/28/2021 @ 9:59am states:

“Distracting signs that indicate costs per segment will undoubtedly cause accidents. I can imagine drivers will try to quickly change lanes when the threshold they have chosen to pay is exceeded or they see that the cost is what they are willing to pay. Perhaps the intent is to cause accidents to slow traffic so that the toll rates increase. What happens if there is an accident in the toll lane and the traffic moves as fast as the non-toll lane. Will drivers get reimbursed? This type of tolling is unnecessary! If you must charge, keep it simple!”

Comment from 10/28/2021 @ 11:26am states:

“Although soft rate caps are supposed to be a good way to lessen the sticker shock of high toll rates, in fact, the demand factor climbs rapidly – it increases more than twice as fast than it decreases. It takes 25 minutes for the rate to max out, but it takes 50 minutes for the rate to settle all the way back down. This penalizes drivers for situations that have already cleared.”

Comment from 10/26/2021 @ 12:34am states:

“Even with minimums and maximums, I am opposed to variable toll rates. I do not believe they are fair. It punishes people who have to be on the road at certain times for something that is not always in their control. At the rates proposed, I would never use these lanes. I fear the lanes will not get enough use to pay for themselves, and they will take up space, keeping the non-HOT lanes just as packed, if not more packed as ever.”

Comment from 10/22/2021 @ 10:21am states:

“There should be HARD rate caps for tolls, not soft. I-66 inside the Beltway have had very high tolls close to \$50 during rush hours. That's unaffordable for most commuters.”

Annual Escalation Adjustments

Comment Form Results: Of the 88 comment forms received, 75 respondents selected a check box noting whether they support (11%), are neutral (13%), or oppose (76%) the recommended annual escalation adjustments.

All Comments: Of the 164 total comments received (all methods), 17 comments provided an opinion regarding the recommended annual escalation adjustments. The most common themes that developed were escalation should not be automatic, and escalation should be limited to the rate of inflation. Some examples of the reasons for opposing the recommended annual escalation adjustments included:

Comment from 9/30/2021 @ 4:54pm states:

“There is no reason for toll rates to increase when the minimum wage does not increase annually. Again, this toll system is only to benefit the rich class of the community.”

Comment from 10/1/2021 @ 12:12pm states:

“Annual escalations simply give incentive for toll operators to "tease" consumers and elected officials with low initial tolls and then rapidly increase toll rates after construction is completed. Any rates should be set at fixed levels for several years, with public comment and oversight by elected officials before increases are approved. Otherwise we are just putting a veneer over the actual construction and operating costs to consumers and the public.”

Comment from 10/24/2021 @ 12:53pm states:

“In 2021 the CPI has risen 4 or 5% so far. Transurban's escalations start now, and each escalation is built on prior escalations. Even if we have deflation, the rates escalate by the other two factors. And Transurban is heartless and NOT interested in the good of the public, as their rapacious behavior in Australia has demonstrated.”

The following comment is from a respondent that provides their support for the recommended annual escalation adjustments.

Comment from 10/22/2021 @ 10:18am states:

“I support annual escalation adjustments, with a low percentage based cap.”

Toll Discounts (Free passage for HOV 3+, buses and motorcycles)

Comment Form Results: Of the 88 comment forms received, 75 respondents selected a check box noting whether they support (56%), are neutral (8%), or oppose (36%) the recommended discounts.

All Comments: Of the 164 total comments received (all methods), 26 comments provided an opinion regarding the recommended toll discounts. The most common theme that developed was overall support for the recommended discounts, but concerned with which vehicle types and HOV classification should or should not receive a discount. Some examples include:

Comment from 10/1/2021 @ 12:31pm states:

“If you discount these groups, the people that don't have this option would subsidize the discounts! and "Why in gods name would you support motorcycles"? one on the most dangerous forms of transportation which results in serious injury and death everyday. I would however support buses as a way to increase the use of mass transportation.”

Comment from 10/4/2021 @ 8:45pm states:

“I would like to see reduced passage for HOV 2+, and also free EZPass Plus devices rather than having to pay extra for the device that has the ability to turn on the HOV feature.”

Comment from 10/22/2021 @ 10:21am states:

“Most drivers on 495 and 270 are in single occupancy or double occupancy vehicles during rush hours. It's unrealistic to expect three or more people in such cases, which means drivers will have to pay high tolls in order to use the toll lanes. Discounts are definitely necessary, but it should be HOV-2 and not HOV-3.”

Comment from 10/28/2021 @ 9:59am states:

“There must be free passage for HOV3+ and buses. I do not think motorcycles should get a free ride. This is still encouraging single ridership. These vehicles tend to exceed speed limits and dangerously weave through traffic.”

The following comments are from respondents that provided their support to the recommended discounts.

Comment from 10/22/2021 @ 2:22pm states:

“I think the vehicles who meet this criteria shouldn't be charged any tolls at all.”

Comment from 10/22/2021 @ 10:18am states:

“I support free passage for public transit busses and privately run transit services, such as Greyhound, Trailways & Bolt and public transit contractors. Charter service busses should pay the same rates as similar freight haulers.”

IV. Other Public Comments

Of the 164 total comments received (all methods) on the recommended toll rate ranges for Phase 1 South: American Legion Bridge I-270 to I-370, there were 78 comments (48%) submitted by the public on topics other than the specific recommended toll rate ranges elements. General themes from the “other” comments received are outlined below:

The most common theme was opposition to toll roads in general, and that they are economically unfair.

Comment from 10/5/2021 @ 1:30pm states:

“No one should have to pay to use the roads. Money is tight as it is and to make anyone pay is a crime. There is no work around the roads like there is for the inter county

connector if you want to avoid a toll road. BAD idea charging...we pay our taxes to pay for the roads as it is. Not in favor of any toll road/lanes.”

Comment from 10/21/2021 @ 9:42pm states:

“Everywhere we go it’s a toll. I’m tired of paying tolls. We pay taxes already... tolls is just another form of taxes. People who own automobiles are paying through the nose.”

Comment from 10/28/2021 @ 4:56pm states:

“Two weeks ago, on October 13, the Metropolitan Washington Council of Governments approved two resolutions that would “prioritize equity in transportation, housing and funding.” Equity is a regional value, and it is violated by \$50 toll lanes benefitting only the most affluent residents of the most affluent part of the region. MDOT has said that those driving on the toll lanes will have increased trip reliability and increased safety. That sets up a two-class system that people in Maryland don’t want and don’t buy into. On lanes right next to each other, only those who can afford the private lanes get a safer commute, with the general purpose lanes available to those who can’t afford the toll lanes made less safe and even more congested than before.

We urge you to reconsider your role in supporting and legitimizing this unfortunate scheme and to increase transparency with the people of Maryland about this toll rate range setting exercise.”

Comment from 10/24/2021 @ 12:53pm states:

“This process is a farce. Don't just say "We know the public wants this"! That isn't true. The public is very opposed to tolls in general, and outraged about tolls this high. They answer yes to congestion relief, but when you tell them about the actual proposed tolls they are vehemently opposed. And accurate polls depend on random sampling, which MDOT has not done. Lastly, the SDEIS shows that people in the general lanes are NOT helped by the toll road. They will sit in the same or worse evening congestion as if the toll road had not been built.”

Comment from 10/21/2021 @ 11:11am states:

“Toll roads are regressive taxation that falls most heavily in those least able to pay. They detract from the goal of creating a just and equitable society. The only way I could possibly support this boondoggle is if tolls were applied only to vehicles owned by corporations, governments, and high income individuals.”

Comment from 10/24/2021 @ 7:57pm states:

“The whole premise of the P3 is that wealthier people don't have to deal with traffic while most people have to sit in congestion. If the congestion is every relieved, the toll revenue disappears, along with the business model of the builder. Given that we need to

cut greenhouse gas emissions, locking in auto travel for generations is a blunder of historic proportions.”

Another theme is that respondents disagree with the involvement of a private company to manage the toll lanes.

Comment from 9/30/2021 @ 8:01pm states:

“This whole P3 program is a bad deal and should be scrapped. Transurban should not get toll revenues from Marylanders. There is no way this deal is in Maryland's best interest.”

Comment from 10/21/2021 @ 13:48pm states:

“I am against Public/Private joint ventures on roads that were paid for by taxpayer's dollars. If private equity wishes to provide toll lanes then let them fund the entire project and not burden taxpayers. Also the pricing structure of Trans Urban tolls excludes use by low income motorists, there is a reason they are called "Lexus Lanes." They probably should be called Rolls Royce Lanes when you look at some of the prices on the signs.”

Comment from 10/1/2021 @ 10:50am states:

“Public road projects should be the job of state federal government. If you have to go to private investors you have failed at your job.”

Another theme is that tolls will not fix congestion and that the State should consider other alternatives.

Comment from 9/30/2021 @ 4:56pm states:

“We shouldn't be building lanes for cars. The only lanes that should be provided are train, bus and bike lanes. No more cars. This is not about commerce as most trucks will utilize free lanes no matter the congestion.”

Comment from 9/30/2021 @ 2:02pm states:

“Scrap the plan It is ridiculous. It will not work. It will be expensive to use. It s a waste of taxpayers money. Go back to the drawing board and figure out a way to bring the state into the 21st century. NYC and cities in Europe frown on cars. They have extensive public transportation that works! Monorail!! Young people do not want the burden of driving and neither does the planet. Thanks for your consideration.”

Comment from 10/5/2021 @ 5:42pm states:

“Proposed actions regarding changes to American Legion Bridge and I 270- I 370 are in reality two completely different projects and should not be linked. Widening access to and on The American Legion Bridge makes sense and should be pursued. Widening and adding to that portion of I 270 north to I 370 reflect deeply flawed logic and highly

questioned reasons for action. I live adjacent to this portion of the highway and witness the traffic flow on a daily basis. Statements regarding the volume on this portion of the highway are highly questionable and seem to be opinions of those who have not actually witnessed traffic in this area. Simply stated there is very little congestion here. There are four lanes which are joined by local lanes within a few minutes of passing the Beltway link which continue up to I 370. There is in fact heavy traffic but it is relatively free flowing until it reaches further north in the area of Germantown/ Clarksburg where the roadway narrows and becomes only two lanes. This is in fact where traffic regularly slows and jams and is where such construction is needed. Construction at the junction of I 270 and the Beltway up to I 370 has significantly greater negative impact on housing parklands and existing infrastructure than would be experienced to the north of Germantown. Why is such an aggressive effort underway to expand resources in this area and not further up county? Logic seems to suggest that there may be other reasons for this project not clearly stated in public statements. I request that construction efforts be abandoned on the southern end of I 270 and relocated to the north where they are more clearly needed and other proposals such as improved rapid rail be considered.”

Comment from 10/22/2021 @ 2:22pm states:

“Actually, employers should be incentivized to encourage/promote teleworking, thereby getting the cars off the road in the first place. There should also be major investments in public transportation - rail and bus. The monies being spent on this project should be redirected towards public transportation. Although I don't have a long commute, my husband commutes by car from Rockville to the other side of the Anacostia River, and these proposed toll lanes will be an enormous burden on him/us.”

Comment from 10/22/2021 @ 7:41am states:

“I oppose the toll plan. What people want is better public transit. We want a metrorail system that doesn't constantly break, and we want an express MARC train from Frederick to Union Station (or at least Silver Spring).”

V. Recommendations from the Public

The following comments, in addition to providing feedback, also included specific recommendations on various elements of the recommended toll rate ranges:

- Minimum and Maximum Tolls
 - “Subject: American Legion bridge toll KISS always KEEP IT SIMPLE SILLY charge .50 cents for every vehicle going south period. Everybody pays but two way trip is only .50 cents per round trip. Or better yet charge 1.00 for bridge from everyone and forgot the toll road fees altogether.”
 - “Two-axle: \$0.15 off peak; Two-axle: \$0.20 peak”

- “The maximum toll rate is still too high. The maximum rate could be more than \$45 for a one way trip. This is outrageous and gives no consideration to the hot lanes continuing past 370. Those living north of 370 could be hit with a \$100 one way trip eventually. In addition, those working an hourly minimum wage job would be greatly impacted as although they can "chose" to use the general lanes at no charge they would be forced to sit in heavier traffic or spend 100% of their earnings on a commute. The maximum range should be reduced to under \$2 per mile.”
- “Rates should be charged based on vehicle cost/value. More expensive vehicles should pay higher rates with minimum and maximum rates.”
- “There shouldn't be a maximum. There should be a minimum.”
- Soft Rate Caps
 - “There should be HARD rate caps for tolls, not soft. I-66 inside the Beltway have had very high tolls close to \$50 during rush hours. That's unaffordable for most commuters.”
 - “Toll charges should be fixed and affordable to all users.”
- Escalation
 - “Not to exceed 1% in any increase with possibility of no increase”
 - “Tie to CPI”
 - “I support annual escalation adjustments, with a low percentage based cap.”
 - “The vendor should NOT get automatic escalations. Period.”
 - “Escalation should not be considered until initial use statistics are processed.”
- Discounts
 - “Residents of Montgomery and Fairfax Counties should be exempt from tolls.”
 - “Should be hov2”
 - “Most drivers on 495 and 270 are in single occupancy or double occupancy vehicles during rush hours. It's unrealistic to expect three or more people in such cases, which means drivers will have to pay high tolls in order to use the toll lanes. Discounts are definitely necessary, but it should be HOV-2 and not HOV-3.”
 - “I would like to see reduced passage for HOV 2+, and also free EZPass Plus devices rather than having to pay extra for the device that has the ability to turn on the HOV feature.”
 - “Also I would like you to use a method that I invented, whereby if a driver uses the HOV lane and pays for this, but there is an accident and the trip would have taken less or the same time on the regular lanes, then the driver gets a refund for the extra money paid to use the HOV lanes.”

- “But why give a discount to motorcycles? They are a hazard on any road, including highways. Eliminate the discount for motorcycles.”
- “HOV 2 Buses and Motorcycles free. Hybrids and electrics should not be exempt since they put the same wear and tare on the highway just like passenger cars.”
- “There must be free passage for HOV3+ and buses. I do not think motorcycles should get a free ride. This is still encouraging single ridership. These vehicles tend to exceed speed limits and dangerously weave through traffic.”
- Tolls – General
 - “I agree that the ALB needs to be updated and perhaps widened some, but I think only one HOT lane each direction is necessary initially. If there is enough use, then an additional lane could be converted to HOT.”
 - “Obviously a Bridge-Toll discount is acceptable for passenger-filled BUSES (not for empty buses). HOV3+ Vehicles can also get a Bridge-Toll reduction (vehicles must be camera and digitally monitored to assure compliance). I do NOT support Bridge-Toll discounts for Motorcycles or any other motorized vehicles using the Right-of-Way. All trucks should pay Bridge-Tolls based on standardized Truck weight limits and number of axles - monitored at Weigh-stations. Please charge a measurable Weigh-station regular highway Toll for heavy/multi-axle Trucks on I-495 and I-270 also.”
 - “Just make it more affordable for all people. Don't punish those who make less (those jobs also support our local economy and help it go around) in the area and can't afford the tolls.”
- Other
 - “Actually, employers should be incentivized to encourage/promote teleworking, thereby getting the cars off the road in the first place. There should also be major investments in public transportation - rail and bus. The monies being spent on this project should be redirected towards public transportation. Although I don't have a long commute, my husband commutes by car from Rockville to the other side of the Anacostia River, and these proposed toll lanes will be an enormous burden on him/us.”
 - “Beltway expansion is a waste of money. Where is the Purple line???”
 - “We need two additional lanes in i270. I spent 3 hours on the road every day for 3 months from Rosalyn to Montgomery village. Hence, I moved to Howard County where traffic is not bad. If Montgomery County cares about its resident, they must support additional toll lanes.”
 - “This entire toll lanes proposal deserves to die on the vine. Nobody wants it except Hogan, Transurban and Macquarie. P3s are problematical, especially for highways. Why isn't anyone listening to the folks concerned about the inequity,

the environmental harm, and the impracticality of this outdated proposal. Do transit instead.”

- “HOV lanes are not proven to make commutes faster. I drive I-270 daily and there are always HOV riders that get in the lane just drive at the same speed as the rest of traffic. What is the point in that? Just to drive in the lane because you can? Encourage slower traffic to stay to the right and ENFORCE a minimum speed limit.”

VI. Records Management

Public comments will be retained for further review and analysis as required. All public comments submitted during the public comment period, including public hearing transcripts from public hearings held during the first comment period (May 20 – August 12, 2021), are available for review online at mdta.maryland.gov/ALB270TollSetting. Please email ALB270TollSetting@mdta.maryland.gov, for further information.

Appendix A – Public Comment Form



COMMENT FORM

1. I wish to comment on the following elements of the recommended action (recommended toll rate ranges) as presented for review at mdta.maryland.gov/ALB270TollSetting/TollRateRangeSettingProcessandRecommendedAction* (check all that apply):

- Minimum and Maximum Toll Rate Ranges:

My comments as they relate to the above category: Support Oppose Neutral

Additional Comments: _____

- Soft Rate Caps within the Minimum and Maximum Toll Rate Ranges:

My comments as they relate to the above category: Support Oppose Neutral

Additional Comments: _____

- Annual Escalation Adjustments:

My comments as they relate to the above category: Support Oppose Neutral

Additional Comments: _____

- Toll Discounts (Free Passage for HOV 3+, buses and motorcycles):

My comments as they relate to the above category: Support Oppose Neutral

Additional Comments: _____

- Other Comments:

Maryland Transportation Authority
Phase 1 South: American Legion Bridge I-270 to I-370
Toll Rate Range Setting Process – Public Comment Period 2 Summary Report



2. How often do you travel within the Phase 1 South limits (the American Legion Bridge to I-270, and I-270 to I-370)?
- Three times or more per week
 - Weekends only
 - Occasionally (Less than three times per month)
 - Rarely (A few times a year)
 - Never
3. How do you pay tolls?
- E-ZPass®
 - Pay-By-Plate (Registered Video, available at Maryland toll facilities only)
 - Video Tolling (Unregistered Video)
 - I don't use toll facilities

Optional: Please provide the following information:

Comments may be submitted anonymously; however, please consider providing your zip code as that will help MDTA identify locations where communities may have similar concerns.

Name: _____

E-mail Address: _____

Community/Organization (if applicable): _____

Street Address: _____

City: _____ State: _____ Zip: _____

Thank you for your comments! Comments may be submitted in a variety of ways during the second public-comment period from **September 30, 2021, through October 28, 2021, at 5:00 PM** in order to be included in the official record reviewed by the MDTA Board. Comments submitted on this form will be part of the official record. **Comments may be submitted by completing this comment form electronically at mdta.maryland.gov/ALB270TollSetting, sending this completed comment form via e-mail to ALB270TollSetting@mdta.maryland.gov, or by mailing this completed comment form via U.S. Mail to:**

Phase 1 South: American Legion Bridge I-270 to I-370

Toll Rate Range Setting Public Comment

Maryland Transportation Authority

2310 Broening Highway

Baltimore, MD 21224

The MDTA held an in-person public hearing on July 12 and a call-in public hearing on July 14 as part of the toll rate range setting process' first public-comment period for proposed High-Occupancy Toll (HOT) lanes within Phase 1 South: American Legion Bridge I-270 to I-370. The hearings provided an opportunity to comment on the toll rate range proposal for the official record through verbal public or one-on-one testimony or through written comment. ALL COMMENTS received, whether at the hearing or through other methods, will be given EQUAL CONSIDERATION.

**If you are unable to access the materials online, or if you require special accommodations under the Americans with Disabilities Act or require language translation services (free of charge), please contact the MDTA's Title VI Officer at mdtaeeo@mdta.maryland.gov or 410-537-6720.*

Appendix B – Comments by Zip Code

ZIP / Postal Code	Number of Comments	Mailing City	County	State
21224	1	Baltimore	Baltimore City	MD
20814	1	Bethesda	Montgomery	MD
20817	4	Bethesda	Montgomery	MD
20866	2	Burtonsville	Montgomery	MD
20871	1	Clarksburg	Montgomery	MD
21701	3	Frederick	Frederick	MD
20878	2	Gaithersburg	Montgomery	MD
20879	1	Gaithersburg	Montgomery	MD
20882	1	Gaithersburg	Montgomery	MD
20874	1	Germantown	Montgomery	MD
20770	1	Greenbelt	Prince George's	MD
20781	1	Hyattsville	Prince George's	MD
20877	1	Montgomery Village	Montgomery	MD
21774	1	New Market	Frederick	MD
20852	4	North Bethesda	Montgomery	MD
20832	1	Olney	Montgomery	MD
20738	1	Riverdale	Prince George's	MD
20850	8	Rockville	Montgomery	MD
20853	1	Rockville	Montgomery	MD
20854	2	Rockville	Montgomery	MD
20901	5	Silver Spring	Montgomery	MD
20902	2	Silver Spring	Montgomery	MD
20906	1	Silver Spring	Montgomery	MD
20910	1	Silver Spring	Montgomery	MD
21863	1	Snow Hill	Worcester	MD
20912	1	Takoma Park	Montgomery	MD
21157	1	Westminster	Carroll	MD
21163	1	Woodstock	Howard	MD

Total Respondents Providing Zip Codes = 51

Appendix C – Public Notice

Public outreach included the use of press releases; gov.delivery email; text bulletins to subscribers; the project webpage; social media posts to Facebook, Twitter and Instagram; and e-blasts to elected officials and other stakeholders. Outreach included contacting targeted environmental justice (low-income and minority) areas via email.

Appendix D – Comment Excerpts by Topic

There were a number of cases where the commentor provided specific recommendations either about elements of the recommended toll rate ranges or the overall project in general. Since the comments are instructive in the decision-making process, they have been extracted into this Appendix to make it easier for the Board Members to review. Comments received as part of the toll rate range setting process for Phase 1 South: American Legion Bridge I-270 to I-370 have been shared with the MDOT SHA project team as appropriate. Below, they are broken down by topic area.

- Transurban / P3
 - “Whatever rate schedule you choose the public needs to know how much profit the private enterprise in making and we need to have the asset returned to us (i.e., no toll) after it has been paid for. This should not become a profit center for some foreign fund.”
 - “The tolls are insanely excessive and not affordable to just about everyone. That these profits will go to a foreign private business and its shareholders at the expense of Maryland residents is an abomination. There needs to be a fiscal analysis that considers other funding approaches that can be viable with the proper design.”
 - “No explanation of how these rates were set, except that the minimum toll supposedly is designed to cover costs of toll collection and monitoring. For both rates of how were they was calculated?; No Tolls. Highways are a public good and should be funded by the state thru its bonding authority. Get rid of the grifter Australian companies. They are just siphoning off funds from the system, with no benefits to drivers or taxpayers.”
 - “In 2021 the CPI has risen 4 or 5% so far. Transurban's escalations start now, and each escalation is built on prior escalations. Even if we have deflation, the rates escalate by the other two factors. And Transurban is heartless and NOT interested in the good of the public, as their rapacious behavior in Australia has demonstrated. Have you done your homework? Do you know who you are dealing with? Have you read the Australian newspaper and magazine articles deriding their unfettered profiteering? Please don't just listen to Gov. Hogan. Do your own research and do what is right for the citizens of Maryland and the whole metropolitan region. It is sad that Virginia allowed Transurban in - but please don't allow them in Maryland. Don't allow them to encircle Washington DC. IF a toll road HAS to be built (which I totally disagree with) let it be funded with state and federal bonds so that the "profits" will come back to US to support the needs of Marylanders.”

- “It's not acceptable for a consortium that includes a for-profit company with a history of promoting large-scale boondoggle projects to get a free hand determining how much revenue it can extract from the public.”
- “Definitely oppose the fact that non-USA company(ies) will be awarded the contract(s) if the project(s) get approved. I use the MD ICC toll lanes frequently. Why are you trying to put thru "Lexus Lanes" which would be extremely/TOO expensive for the normal DMV commuter?”
- “This whole P3 program is a bad deal and should be scrapped. Transurban should not get toll revenues from Marylanders. There is no way this deal is in Maryland's best interest.”
- “I am against Public/Private joint ventures on roads that were paid for by taxpayer's dollars. If private equity wishes to provide toll lanes then let them fund the entire project and not burden taxpayers. Also the pricing structure of Trans Urban tolls excludes use by low income motorists, there is a reason they are called "Lexus Lanes". They probably should be called Rolls Royce Lanes when you look at some of the prices on the signs.”
- “Every day there are articles about the high tolls and woes Transurban is causing in Australia. Look at these articles as a cautionary tale that should send a strong warning sign that the same will occur here, to the extreme detriment of Maryland and the transportation system serving our nation's capital. 1. NRMA calls for toll price transparency (riverineherald.com.au) 2. ‘Cost outweighs benefit’: Trucking giant's toll message to drivers (theage.com.au) 3. WestConnex: the toll road that ate Sydney (smh.com.au) Under the interagency agreement, it seems that MDTA designates MDOT SHA as its agent. Then the contract stipulates: “No Party shall interfere with or impede any other Party's performance of its obligations under this Agreement or any P3 Agreement.” In other words, following execution of the tolling agreement, MDTA will have no real say in future rate increases and escalations, with its role confined to rubberstamping MDOT SHA requests. And, all individuals in the parties are indemnified, so no individual who participated in this agreement can be held accountable. Again, it is toll road users and Maryland residents who will pay the price for the errors that are virtually certain to occur.”
- “I hope each member of MDTA will research the project and Transurban and then vote his or her conscious. Please do not be Gov. Hogan's puppets. That is not your purpose.”
- Tolls are Inequitable
 - “Toll rates only benefit those who have money to afford them. Thus, the lower working class will be affected and taxed the most.”
 - “I can't afford to pay tolls.”

- “Rates should be charged based on vehicle cost/value. More expensive vehicles should pay higher rates with minimum and maximum rates.”
- “The toll will be outrageously high if it's anything like similar tolls around the region. It is unrealistic for most ordinary drivers to be able to afford.”
- “According to MDTA documentation, the median household income of those invited VOT study respondents who would take express lanes for work trips is \$146,582. The median income of those who would take express lanes for non-work trips is \$134,997. Both are far above the \$108,820 median household income in Montgomery County. MDTA’s determination of the Value of Time shows the median and mean toll amounts that study participants would be willing to pay for work trips: Mean = \$23.62; Median = \$19.68. If MDOT’s targeted drivers won’t pay more than \$23.62, they can only travel 6 miles per trip at MDTA’s projected maximum rate of \$4+/mile when the toll lanes open in 2026. That means MDOT and MDTA already know that the project will not meet its revenue target. They already know the current toll-setting proposal is nothing more than a placeholder for the higher tolls and State subsidies necessary to provide the promised revenue/profit to the contractor over the next 50 years. This is a total abdication of MDOT’s and MDTA’s responsibilities to the public.”
- “In addition, we believe that this toll scheme is even more inequitable and costly for would- be toll lane users than what was proposed during the first toll rate range setting. Text in the August 26, 2021 “First Amended and Restated I-495 & I-270 Public-Private Partnership Program (P3) Interagency Agreement (IAA) between Maryland Department of Transportation (MDOT) State Highway Administration (SHA), MDOT and MDTA” reads: “If there is projected to be a Rate Covenant Shortfall (meaning the P3 Program revenues (including video surcharges, late payment fees, etc.) expected to be collected will be insufficient to cover the payments due to all Section Developers from the Operating Reserve Account and all principal and interest due on all MDTA Notes) in six or more consecutive months during the next 24 months, MDTA shall either (i) make administrative or operational changes that will eliminate the Rate Covenant Shortfall or (ii) if there are not administrative or operational changes that will eliminate the Rate Covenant Shortfall, then MDTA shall notify MDOT. Following such notification MDOT shall either (a) instruct MDTA to take no further action on the basis that MDOT elects to make supplemental payments at the time of the projected shortfall so that, if such supplemental payments were included as additional P3 Program Revenues in the calculation of the Rate Covenant calculation then no shortfall would exist or (b) instruct MDTA staff to present to the MDTA Board a toll proposal to commence the toll rate setting process intended to fix, revise, charge, and collect the tolls, fees or other charges in the P3 Program so that the Rate Covenant Shortfall is eliminated. Upon the

conclusion of the toll setting process the MDTA Board may approve, adjust or reject the toll proposal.” This appears to mean that Maryland taxpayers and especially toll road users or would-be users will be penalized in the event MDOT’s traffic projections are incorrect and for other agency errors. It appears to mean quality of service (in the form of “administrative or operational changes”) provided by MDTA, a state agency, can be decreased in the interest of paying the developer (Australian toll lane giant Transurban) its promised profit, which it is owed even if the toll lanes are not well utilized. This scheme and contract appear strongly biased in favor of the private sector at the expense of Maryland residents.”

- “First and foremost, I don't want to see Maryland turn into another Virginia. Moderate toll rates are acceptable as a road use tax but when they rise to the point that middle and lower income families can't afford it, this is no longer acceptable”
 - “Just make it more affordable for all people. Don't punish those who make less (those jobs also support our local economy and help it go around) in the area and can't afford the tolls.”
 - “Tolls will prevent local low and moderate income from easily running errands.”
 - “I oppose toll roads of any kind because only rich people will be able to use them and they will not alleviate traffic. I can't even believe this is being considered as a solution to the gridlock in this region.”
 - “Two weeks ago, on October 13, the Metropolitan Washington Council of Governments approved two resolutions that would “prioritize equity in transportation, housing and funding." Equity is a regional value, and it is violated by \$50 toll lanes benefitting only the most affluent residents of the most affluent part of the region. MDOT has said that those driving on the toll lanes will have increased trip reliability and increased safety. That sets up a two-class system that people in Maryland don't want and don't buy into. On lanes right next to each other, only those who can afford the private lanes get a safer commute, with the general purpose lanes available to those who can't afford the toll lanes made less safe and even more congested than before.”
 - “Toll roads are regressive taxation that falls most heavily in those least able to pay. They detract from the goal of creating a just and equitable society.”
 - “The only way I could possibly support this boondoggle is if tolls were applied only to vehicles owned by corporations, governments, and high income individuals.”
- Notification / Education of Dynamic Tolls
 - “Dynamic pricing is supposed to decrease congestion in the HOT (toll and high occupancy toll-exempt) lanes. But how would any driver know, in advance, how

much toll they are going to have to pay for a given trip? They have to guess and gamble, which is an imprecise, haphazard way to manage demand for the HOT lanes.”

- Toll Calculations
 - “Although soft rate caps are supposed to be a good way to lessen the sticker shock of high toll rates, in fact, the demand factor climbs rapidly – it increases more than twice as fast than it decreases. It takes 25 minutes for the rate to max out, but it takes 50 minutes for the rate to settle all the way back down. This penalizes drivers for situations that have already cleared.”
 - “The new Recommended Preferred Alternative, i.e., "Phase 1 South: American Legion Bridge I-270 to I-370," will include a multi-use trail on the new American Legion Bridge (ALB) across the Potomac River. The Recommended Action proposal may clarify whether and how future users of the multi-use trail on the new ALB would pay tolls.”
- Minimum and Maximum Tolls
 - “I think it should be affordable for all to use the lanes! Many industries don't pay high enough salaries for those who live in the area or may need to take the interstate so make it affordable so more people can use it! “
 - “Two-axle: \$0.15 off peak; Two-axle: \$0.20 peak”
 - “Disagree with higher rates based on amount of traffic within a toll segment”
 - “Tolls are too much for average person to afford. It’s going to push traffic on to side streets”
 - “The maximum toll rate is still too high. The maximum rate could be more than \$45 for a one way trip. This is outrageous and gives no consideration to the hot lanes continuing past 370. Those living north of 370 could be hit with a \$100 one way trip eventually. In addition, those working an hourly minimum wage job would be greatly impacted as although they can "chose" to use the general lanes at no charge they would be forced to sit in heavier traffic or spend 100% of their earnings on a commute. The maximum range should be reduced to under \$2 per mile.”
 - “Totally oppose the proposed project & rates.”
 - “Would never use the toll lanes since they will be so expensive.”
 - “In general, the tolls are too high. In particular: 1. The Value of Time study results are flawed and are biased towards higher income drivers. 2. Tolling has only one explicitly stated goal – to maximize revenue, not to relieve congestion or help the environment. 3. Driving in the free lines must be badly congested enough to push drivers into paying to use the HOT lanes. Flaws in the Value of time study completely undermine the results. The sample is biased towards higher income and doesn’t represent the resident or driving population. The entire P3 toll model

is explicitly designed to maximize revenue. Further, the model does not describe what happens in the free lanes when the HOT lanes are managed to maintain the desirable traffic and volumes that maximize revenue. The fundamental principle of the HOT lanes is that free lanes have to be very congested, because only then will drivers be pushed into paying high tolls for a privileged driving experience.”

- “The tolls are too high”
- “There shouldn't be a maximum. There should be a minimum.”
- “Estimating toll rate ranges without describing the improvements that those tolls are intended to finance is not a sound approach to requesting public comment. If tolls are intended to pay for improvements, the question is: what are the improvements? The guide provided with the request for comments describes reduced transit times.”
- “I strongly OPPOSE an I-495/270 Toll Road in any form, especially the very ‘tinny’ and inadequately studied so-called ‘Public/Private Partnership’ that Governor and MDOT have rammed through by hook and by crook thus far. Thus, I do NOT agree to proposed Minimum & Maximum Toll Rate Ranges for any roadway-only express lanes or regular lanes.”
- “I certainly support there being minimum and maximum rates, but I do not support the rate ranges proposed. The maximums are still set way too high for the distances they would apply to.”
- “Some in the public may know the maximum planned rates per mile as \$3.76— and \$22.58 for most tractor trailers. Less well known is the 2.1% annual escalation (from 2021) plus inflation. The public should know the estimated hours and times per week when the actual toll will be at least 50% of the maximum toll.”
- “I am outraged that despite huge public opposition to \$4/mile peak tolls in 2026 and the huge built-in escalation factors in the first public comments period, the MDTA changed nothing. The 3 cents you took off the rate for driving on the toll road when there is no congestion means nothing. Who would drive on it when there is no congestion? So if you get zero public comments in this round, it will be because you have shown the public that you have absolutely no regard for their input.”
- “The toll road is not a solution for a transportation problem. Tolls are unfair. MDOT has never provided an analysis of the benefit of the ICC. After 10 years, has the ICC paid for itself? Has it really improved I495 travel? Does any of the ICC money ever go to transportation? People don't use the ICC as much as predicted because it doesn't really save any time unless I495 is at a standstill. Saving 10 minutes of driving time doesn't outweigh the costs. The individuals who could not afford to live in the area near the Beltway chose to move to upcounty Montgomery County or Frederick or beyond. Why does MDOT believe

these folks will pay a daily outrageous toll to improve their commute by 5-10 minutes? Meanwhile, the individuals who live in the immediate vicinity of Phase 1 and use the road multiple times each day for errands to go perhaps 1 segment are penalized with outrageous tolls.”

- “I find it interesting that a minimum toll is necessary to recover administrative costs! If you didn't propose such a complicated toll system, you wouldn't need to charge .17/mile.”
- “Subject: American Legion bridge toll KISS always KEEP IT SIMPLE SILLY charge .50 cents for every vehicle going south period. Everybody pays but two way trip is only .50 cents per round trip. Or better yet charge 1.00 for bridge from everyone and forgot the toll road fees altogether.”
- Rate Caps
 - “There should be HARD rate caps for tolls, not soft. I-66 inside the Beltway have had very high tolls close to \$50 during rush hours. That's unaffordable for most commuters.”
 - “How will the developer set rates between the minimum and the SRC? No explanation”
 - “How are they going to monitor the above "triggers"? Will they be placing cameras, videocams, and radar along each segment?”
 - “I do not support ‘soft rate Caps’ or any other easily mismanaged tolling devices. Only normal daytime, Rush Hours, and night-time toll rates for a Potomac Bridge crossing are acceptable.”
 - “Toll charges should be fixed and affordable to all users.”
 - “Even with minimums and maximums, I am opposed to variable toll rates. I do not believe they are fair. It punishes people who have to be on the road at certain times for something that is not always in their control. At the rates proposed, I would never use these lanes. I fear the lanes will not get enough use to pay for themselves, and they will take up space, keeping the non-HOT lanes just as packed, if not more packed as ever.”
 - “I oppose the whole toll road. If it is approved, then heaven help us. But it sounds like the soft rate cap is a measure that might help restrain the tolls.”
 - “Distracting signs that indicate costs per segment will undoubtedly cause accidents. I can imagine drivers will try to quickly change lanes when the threshold they have chosen to pay is exceeded or they see that the cost is what they are willing to pay. Perhaps the intent is to cause accidents to slow traffic so that the toll rates increase. What happens if there is an accident in the toll lane and the traffic moves as fast as the non-toll lane. Will drivers get reimbursed? This type of tolling is unnecessary! If you must charge, keep it simple!”

- Escalation
 - “Tie to CPI”
 - “We need no increase at this time the public is getting increased in every other area we simply can’t afford a increase.”
 - “Not to exceed 1% in any increase with possibility of no increase”
 - “There is no reason for toll rates to increase when the minimum wage does not increase annually. Again, this toll system is only to benefit the rich class of the community.”
 - “Escalation is based only on economic factors, and toll rates are designed to maximize revenue. So, the use of escalation adjustments does not benefit drivers. It only benefits the concessionaire. In fact, the 2.1% increase in the max rate and soft cap will double those figures in 34 years. Also, the C in CPI stands for consumer. But there is non-consumer traffic (e.g., commercial vehicles) in the traffic mix. Is escalation even justified?”
 - “I support annual escalation adjustments, with a low percentage based cap.”
 - “Except for the min and max rates, for which "escalation" (increase) in tolls is based only on inflation, all other rates increase based on not just inflation but other vague factors that have not been explained.”
 - “The vendor should NOT get automatic escalations. Period.”
 - “Annual escalations simply give incentive for toll operators to "tease" consumers and elected officials with low initial tolls and then rapidly increase toll rates after construction is completed. Any rates should be set at fixed levels for several years, with public comment and oversight by elected officials before increases are approved. Otherwise we are just putting a veneer over the actual construction and operating costs to consumers and the public.”
 - “I don't see significant improvement(s) for there to be escalations. We already have significant increases in gas, food, etc.”
 - “Salaries and pensions don't keep up with inflation. There is no reason to increase toll rates! You seem to have structured the escalation so that a private company will make more money off private citizens. I know Mr. Hogan promised money from the toll lanes will go into transportation, but this is a false promise that is not backed by any regulation. Don't escalate tolls unless MDOT DELIVERS transportation.”
- Discounts
 - “Residents of Montgomery and Fairfax Counties should be exempt from tolls.”
 - “As the plan is to replace the existing HOV lanes on I-270, the free passage should also extend to those with electric vehicles (with state permit) as they are currently authorized to use the HOV lanes regardless of occupancy. Otherwise,

this project effectively removes the only HOV lanes in Maryland other than US 50”

- “Most drivers on 495 and 270 are in single occupancy or double occupancy “vehicles during rush hours. It's unrealistic to expect three or more people in such cases, which means drivers will have to pay high tolls in order to use the toll lanes. Discounts are definitely necessary, but it should be HOV-2 and not HOV-3.”
- “It will be helpful to explain why free toll applies to motorcycles.”
- “Same as above but this is ridiculous because this policy will likely increase the number of commuters using motorcycles that have a high incidence of severe accidents on dangerous high speed roads.”
- “Supposedly, special treatment for certain vehicles is a good thing, but how will HOV 3+ work? Does Maryland even have HOV 3+ lanes? Does Maryland have an EZ-Pass approach for HOV 3+? Wouldn't HOV 3+ lanes and infrastructure including new EZ-Pass transponders entail additional costs to Maryland taxpayers and drivers?”
- “I would like to see reduced passage for HOV 2+, and also free EZPass Plus devices rather than having to pay extra for the device that has the ability to turn on the HOV feature.”
- “Also I would like you to use a method that I invented, whereby if a driver uses the HOV lane and pays for this, but there is an accident and the trip would have taken less or the same time on the regular lanes, then the driver gets a refund for the extra money paid to use the HOV lanes.”
- “I support free passage for public transit busses and privately run transit services, such as Greyhound, Trailways & Bolt and public transit contractors. Charter service busses should pay the same rates as similar freight haulers.
- “No discount. A car is a car.”
- “But why give a discount to motorcycles? They are a hazard on any road, including highways. Eliminate the discount for motorcycles.”
- “Disagree with motorcycles being free (makes no sense). But the only upside of this disastrous scheme would be if it helped buses.”
- “Obviously a Bridge-Toll discount is acceptable for passenger-filled BUSES (not for empty buses). HOV3+ Vehicles can also get a Bridge-Toll reduction (vehicles must be camera and digitally monitored to assure compliance). I do NOT support Bridge-Toll discounts for Motorcycles or any other motorized vehicles using the Right-of-Way. All trucks should pay Bridge-Tolls based on standardized Truck weight limits and number of axles - monitored at Weigh-stations. Please charge a measurable Weigh-station regular highway Toll for heavy/multi-axle Trucks on I-495 and I-270 also.”

- “HOV 2 Buses and Motorcycles free. Hybrids and electrics should not be exempt since they put the same wear and tear on the highway just like passenger cars.”
- “Tolls on roads, lanes, bridges, and tunnels are economically regressive for low income people. There should be waivers, exemptions, and discounts for low income users. Tolling databases can be linked to other databases that include low income people, such as EITC, school lunches, Sec. 8 housing vouchers, SNAP, LITC, TANF, WIC, etc.”
- “If you discount these groups, the people that don't have this option would subsidize the discounts and "Why in god's name would you support motorcycles"? one on the most dangerous forms of transportation which results in serious injury and death everyday. I would however support buses as a way to increase the use of mass transportation”
- “We already have a serious problem with speeding and stunting motorcycles on the beltway. A free ride on a toll lane would just give some crotch rocket jockies a place to showcase their insanity and disregard for the law.”
- “There must be free passage for HOV3+ and buses. I do not think motorcycles should get a free ride. This is still encouraging single ridership. These vehicles tend to exceed speed limits and dangerously weave through traffic.”
- Tolls – General
 - “I'm opposed to the entire concept of tolls on the interstate highways, as well as adjustable toll lanes. I think they are very undemocratic and place additional burdens on the substantial number of people who live among us who are struggling financially!”
 - “Faulty data, public roads need to remain toll free.”
 - “Everywhere we go it's a toll. I'm tired of paying tolls. We pay taxes already... tolls is just another form of taxes. People who own automobiles are paying through the nose.”
 - “Most people commuting to work these days are those who provide direct services and largely impacted by the COVID 19 pandemic and layoffs, unlike federal and technology workers who can work from home. There should be no tolls or added lanes to I495 as the state has a record of no transparency about road planning efforts and most MD citizens can ill afford tolls when there are so many other economic and social needs that are more urgent. Plus a recent study suggests the time commuters will save by paying tolls is less than MD Transportation Authority reports.”
 - “Building the toll lanes won't solve the traffic jam problem, but instead it will increase jam because very few people can afford the toll to use the toll lanes. It is also too costly. The taxpayers eventually have to pay the bill.”

- “Within the scope of the toll setting process, the worst part is the sole reliance on maximizing revenue as the objective of tolling. Even given that, the flaws in sampling and the reliance on economic factors (except for the desired traffic and speed conditions for the privileged lanes) result in a tolling approach that is incomplete. There is no relationship to actual project costs. There is no relationship to overall traffic management and congestion. And, although this may be out of scope, there is no indication of how the generated revenues will be used. Although the “minimum toll rate is intended to cover toll capture, processing and collection costs,” there is apparently no such cost analysis available to the public. MDTA should have used its expertise to examine the assignment it was given. It should have replied to MDOT with issues and criteria for a more responsible toll setting approach. Instead, MDTA only seems to have developed its toll setting approach based on the direction it was given – maximize revenue.”
- “No toll lanes should be built. The project would enclose our Capitol with traffic lanes controlled by a potentially hostile entity”
- “MDTA's toll rate-setting process and calculations did not take into account and "fully load" the costs to the environment, global warming, climate change, and nearby communities. These costs can be estimated and should be taken into account. If they were, the tolls would be much higher than presently estimated, and would be prohibitive. How can you ignore these critical costs?”
- “No one should have to pay to use the roads. Money is tight as it is and to make anyone pay is a crime. There is no work around the roads like there is for the inter county connector if you want to avoid a toll road. BAD idea charging...we pay our taxes to pay for the roads as it is. Not in favor of any toll road/lanes.”
- “I agree that the ALB needs to be updated and perhaps widened some, but I think only one HOT lane each direction is necessary initially. If there is enough use, then an additional lane could be converted to HOT.”
- “Another big concern I have is how sensitive the toll detectors will be and whether there is a chance that those traveling in adjacent non-HOT lanes are at risk of accidental charges to their EZ-PASS accounts.”
- “This process is a farce. Don't just say "We know the public wants this"! That isn't true. The public is very opposed to tolls in general and outraged about tolls this high. They answer yes to congestion relief, but when you tell them about the actual proposed tolls they are vehemently opposed. And accurate polls depend on random sampling, which MDOT has not done. Lastly, the SDEIS shows that people in the general lanes are NOT helped by the toll road. They will sit in the same or worse evening congestion as if the toll road had not been built.”
- “But the toll road itself will create congestion by usurping highway space and leaving LESS free lanes, despite Gov. Hogan's promise that all free lanes remain

free. That is not true. I-270 between I-370 and Democracy Blvd. does not have 8 total lanes on each side in many places, thanks to MDOT's wonderful "Innovative Congestion Management" project which is nearly completed. There is essentially no congestion on that part of I-270 now. But taking away 4 lanes to make a toll road and leaving just 5 free lanes on each side will CREATE congestion. You will undo the \$100 million project that is just being completed, and that WORKS! Don't take it away from us!!! Focus on improving congestion on I-270 NORTH of I-370! That is where there is a need. And do it NOT by expanding the highway, which just attracts more cars to the road, but by increasing transit options, which gets cars OFF the road. People are begging for transit that is efficient and affordable. Increasing MARC service with a third track would be a large long-term investment which would actually BENEFIT our grandchildren. This toll road project will just make congestion worse and be a chain around the necks of our children, grandchildren, great-grandchildren and more.”

- “We shouldn’t be building lanes for cars. The only lanes that should be provided are train, bus and bike lanes. No more cars. This is not about commerce as most trucks will utilize free lanes no matter the congestion.”
- Additional Studies and Information
 - “Beltway expansion is a waste of money. Where is the Purple line???”
 - “Toll lanes [hot rich people company lanes] is a WAIST OF MONEY, RESOURCES....AND TIME! Reversible rush hour lanes ARE JUST THE OPPOSITE!”
 - “We need two additional lanes in i270. I spent 3 hours on the road every day for 3 months from Rosalyn to Montgomery village. Hence, I moved to Howard County where traffic is not bad. If Montgomery County cares about its resident, they must support additional toll lanes.”
 - “They will pull traffic into neighborhoods because of prohibitively expensive tools.”
 - “Scrap the plan. It is ridiculous. It will not work. It will be expensive to use. It is a waste of taxpayers money. Go back to the drawing board and figure out a way to bring the state into the 21st century. NYC and cities in Europe frown on cars. They have extensive public transportation that works! Monorail!! Young people do not want the burden of driving and neither does the planet. Thanks for your consideration.”
 - “HOV lanes are not proven to make commutes faster. I drive I-270 daily and there are always HOV riders that get in the lane just drive at the same speed as the rest of traffic. What is the point in that? Just to drive in the lane because you can? Encourage slower traffic to stay to the right and ENFORCE a minimum speed limit.”

- “The toll road concept is a rip-off. The traffic study shows that the improvement in traffic flow due to the toll roads is only a marginal improvement in speed. The toll road does not help in any significant way and the toll road should be abandoned and the state should go back to the outer loop, that will work. The people in Potomac fought the outer loop and the governor caved into them versus helping the typical MD resident”
- “I oppose the toll plan. What people want is better public transit. We want a Metrorail system that doesn't constantly break, and we want an express MARC train from Frederick to Union Station (or at least Silver Spring).”
- “The toll will not fix things and it amounts to a tax on hard-working Marylanders who can barely afford to live especially in Montgomery County but also anywhere along the I-270 corridor within reasonable driving distance to their jobs in DC. Invest in better public transportation instead!!”
- “Proposed actions regarding changes to American Legion Bridge and I 270- I 370 are in reality two completely different projects and should not be linked. Widening access to and on The American Legion Bridge makes sense and should be pursued. Widening and adding to that portion of I 270 north to I 370 reflect deeply flawed logic and highly questioned reasons for action. I live adjacent to this portion of the highway and witness the traffic flow on a daily basis. Statements regarding the volume on this portion of the highway are highly questionable and seem to be opinions of those who have not actually witnessed traffic in this area. Simply stated there is very little congestion here. There are four lanes which are joined by local lanes within a few minutes of passing the Beltway link which continue up to I 370. There is in fact heavy traffic but is relatively free flowing until it reaches further north in the area of Germantown/ Clarksburg where the roadway narrows and becomes only two lanes. This is in fact where traffic regularly slows and jams and is where such construction is needed. Construction at the junction of I 270 and the Beltway up to I 370 has significantly greater negative impact on housing parklands and existing infrastructure than would be experienced to the north of Germantown. Why is such an aggressive effort underway to expand resources in this area and not further up county? Logic seems to suggest that there may be other reasons for this project not clearly stated in public statements. I request that construction efforts be abandoned on the southern end of I 270 and relocated to the north where they are more clearly needed and other proposals such as improved rapid rail be considered.”
- “Before commenting on proposed tolls, I must make clear that, in light of the worsening climate crisis facing Maryland, the U.S. and the world, the massive toll lanes project is terrible policy because it will hasten the planet’s move way past CO2 limits that must be observed to avoid ever greater tragedies befalling an even

larger share of the world's population. Those tragedies are summarized in an October 21 AP story: "Worsening conflict within and between nations. Increased dislocation and migration as people flee climate-fueled instability. Heightened military tension and uncertainty. Financial hazards." The story covers climate reports just released by the departments of Homeland Security and Defense, the National Security Council and the director of national intelligence.

<https://www.nytimes.com/2021/10/21/climate/climate-change-national-security.html> The travel time between two points on the affected highways pales to insignificance when compared with the climate impacts this project will worsen."

- "The truck toll ensures that most big trucks will intensify congestion on the "free" lanes. Other than trucks with emergency situations, the only trucks likely using the toll lanes will be those where the driver has some agreement with the customer that an optional toll like this would be reimbursed. Since trucks do far more damage to highways than cars, a higher rate makes sense. But here, where Transurban's private, tolled lanes parallel the state's non-tolled lanes, the result just described is less than optimal. I understand the proposed car/truck ratio is similar to what is in place on the ICC, but that is a completely different situation since there are no "non-tolled" lanes for truckers to escape to, unless (for many trips) they want to add considerable mileage to their trip."
- Other
 - "Actually, employers should be incentivized to encourage/promote teleworking, thereby getting the cars off the road in the first place. There should also be major investments in public transportation - rail and bus. The monies being spent on this project should be redirected towards public transportation. Although I don't have a long commute, my husband commutes by car from Rockville to the other side of the Anacostia River, and these proposed toll lanes will be an enormous burden on him/us."
 - "I oppose this project and the state's attempts to ignore what citizens want. As a student of policy studies, this project is designed to prepare the Governor for a Presidential election rather than help MD citizens obtain safer, more environmentally friendly to commute."
 - "Houses will be taken, and daily life will be greatly interrupted. Also community members have not adequately been interviewed and considered."
 - "This entire toll lanes proposal deserves to die on the vine. Nobody wants it except Hogan, Transurban and Macquarie. P3s are problematical, especially for highways. Why isn't anyone listening to the folks concerned about the inequity, the environmental harm, and the impracticality of this outdated proposal. Do transit instead."

- “When will the P3-stupified current leadership of State of Maryland, especially MDOT learn from real-world experience with the Purple Line P3 debacle, and END this totally unstable, environmentally destructive, and clearly not at all ‘free’ approach to public ROW highway and ‘Transit’ construction and operations? Will our State Government ever Learn?”
- “Toll lanes should be decided by the voters after full financial disclosure. They should be put on the ballot bearing in mind most of the taxpayers will never see the toll lanes. I have never been on the "Inter County Connector) but I know some of my taxes were used to pay for its construction.”
- “It is disappointing that this 28-day toll rate range setting comment period was scheduled to overlap with two other comment periods on the I-495 and I-270 toll lane project (one month for Section 106 and 45 days for the Supplemental Draft Environmental Impact Statement). It is also disappointing that this toll rate range setting comment period has no in-person or virtual public hearing during the comment period. These timing decisions, lack of public hearings, and minimal advertising of the toll rate range setting comment period prevent the public from participating meaningfully in the process.”
- “In addition to the shortfall payments being a potential trigger for a new toll rate range setting process, the interagency agreement explicitly requires that MDTA not make any changes that could reduce P3 program revenues, saying: “MDTA agrees that it shall not (unless compelled to by law), reduce the civil penalty for late payment of tolls, citation fees, or enforcement fees applicable to the P3 Program, or take other rate setting action that causes P3 Program revenues to decrease.” It is imperative that the public be told that this is just the first of the potential P3 toll rate range settings and that the only direction these tolls, fees, and escalations can go is up. These strings-attached agreements, which are not subject to public comment, some of which were or will be executed after the reviews required by the P3 law and after the Board of Public Works vote, undermine public trust in agency processes, agency authority, and transparency. Some of these arrangements will be made without any further opportunity for the public to comment or even be aware of future changes regarding the tolls. We believe that the Governor and MDOT have misled the public in repeated representations that the project risk would be transferred to the private sector. At each step, it is clear that the state is taking on more risk, including by changes made after the August 11, 2021 BPW vote. (e.g., “In connection with financial close of each Section, MDTA will issue bonds or notes to fund certain costs in which the State is best equipped to manage and reduce the overall risk,” August 26, 2021 IAA.) The August 2021 P3 contract and August 26, 2021 interagency agreement have many examples of the state assumption of this financial risk. Still more than the state itself, it appears that the taxpaying public will be on the hook for dozens of

compensation and relief events, toll road subsidies, monopoly markups, billions in utility relocations, and then even shortfall payments for mistakes made by MDOT, MDOT SHA, MDTA, and Transurban. The toll payers themselves will surely pay for those mistakes.”

- “I oppose having toll Lanes on I270 in Montgomery County. This is nothing more than a tax on Montgomery County residents who chose to live here while those who chose to live north of Montgomery County in lower tax districts get a free pass to the county and then we will be financing the road improvements for the other counties.”
- “The whole premise of the P3 is that wealthier people don't have to deal with traffic while most people have to sit in congestion. If the congestion is every relieved, the toll revenue disappears, along with the business model of the builder. Given that we need to cut greenhouse gas emissions, locking in auto travel for generations is a blunder of historic proportions.”