

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

Toll Rate Range Setting Process

Public Comment Summary Report

August 12, 2021



Maryland
Transportation
Authority

Executive Summary

On May 20, 2021, the Maryland Transportation Authority (MDTA) Board unanimously approved to proceed with holding public hearings and seeking public comment on the Phase 1 South: American Legion Bridge I-270 to I-370 Tolling Proposal as part of the toll rate range setting process. The public comment period began on May 20, 2021 and continued until 5PM, August 12, 2021. Public hearings were conducted on July 12th and July 14th (two sessions each day).

The Phase 1 South: American Legion Bridge I-270 to I-370 Tolling Proposal presented to the public included:

I. Minimum and maximum toll rate ranges

- Toll rates will adjust as frequently as every 5 minutes, if needed to maintain a free-flowing level of traffic (45 mph or higher). The minimum toll rate is the lowest toll rate per mile that may be charged within any tolling segment for the proposed High-Occupancy Toll (HOT) lanes, or the lowest total toll a customer will pay regardless of how far they travel. Ensures that trips on the facility are charged a toll to cover toll collections costs. The maximum toll rate sets the highest toll rate per mile that may be charged within any tolling segment for the proposed HOT lanes, and under no circumstances will the maximum rate be exceeded.

II. Soft Rate Cap

- The per-mile toll rate that can only be exceeded when at least one of the following thresholds are met within a given tolling segment during the preceding 5-minute period:
 - i. Traffic volume exceeds 1,600 passenger car equivalent vehicles per hour per lane.
 - ii. Average speed is below 50 mph.
- Customers can choose to pay this toll for a faster, more reliable trip when traffic conditions meet the thresholds. The soft rate cap protects customers from price gouging when traffic conditions do not justify higher rates.

III. Process for annual escalation

- For the toll rates to effectively manage demand and ensure reliability for users of the proposed HOT lanes into the future, the maximum per mile rates, soft rate caps, and unregistered video surcharge will escalate annually to account for inflation, population employment, and income growth. The minimum per mile rates and the minimum tolls are both subject to escalation for inflation only.

IV. Toll discounts for certain types of vehicles

- Free passage discount will be granted along the proposed Phase 1 South HOT lanes for HOV 3+, buses and motorcycles.

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



Public comments for the official record were submitted through a number of methods. Five methods for providing public comment included an online comment form; U.S. mail; 24/7 voicemail; email; and verbal testimony during one of four public hearing sessions either given directly to MDTA Board Members, via one-on-one testimony collected by a court reporter at the in-person public hearing, or via voicemail. Comments received from respondents were categorized according to the element of the proposal that was being commented on. If a respondent provided multiple comments on several different elements of the proposal those comments were counted individually. A total of 290 respondents provided their comment, with their comments categorized into 666 total individual comments. Most comments received 62% (413) were received via the comment form (online and hard copy). Comments received via testimony at the public hearings accounted for 28% (187) of the comments received, email accounted for 8% (54), and 24/7 voicemails accounted for 2% (12). Categorizing the comments by element of the proposal, there were 94 comments (14%) regarding the minimum and maximum toll rate ranges, 48 comments (7%) regarding the soft rate cap, 50 comments (8%) regarding the process for annual escalation, 79 comments (12%) regarding the toll discounts, and 395 comments (59%) regarding different issues associated with the MDTA that were categorized as “other”.

Of the 290 total respondents, 163 respondents provided their location via full address or just their zip code. The majority of comments were received from Montgomery County, accounting for 74% (120), followed by Frederick County at 6% (10), Prince George’s County at 4% (7), Anne Arundel County at 2% (4), Baltimore City at 2% (3), Howard County at 2% (3), and Charles County at 2% (3). Those seven counties accounted for 92% of the total comments received. 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 proposal. **Figure 1** shows the final breakdown of support and opposition for these topics.

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

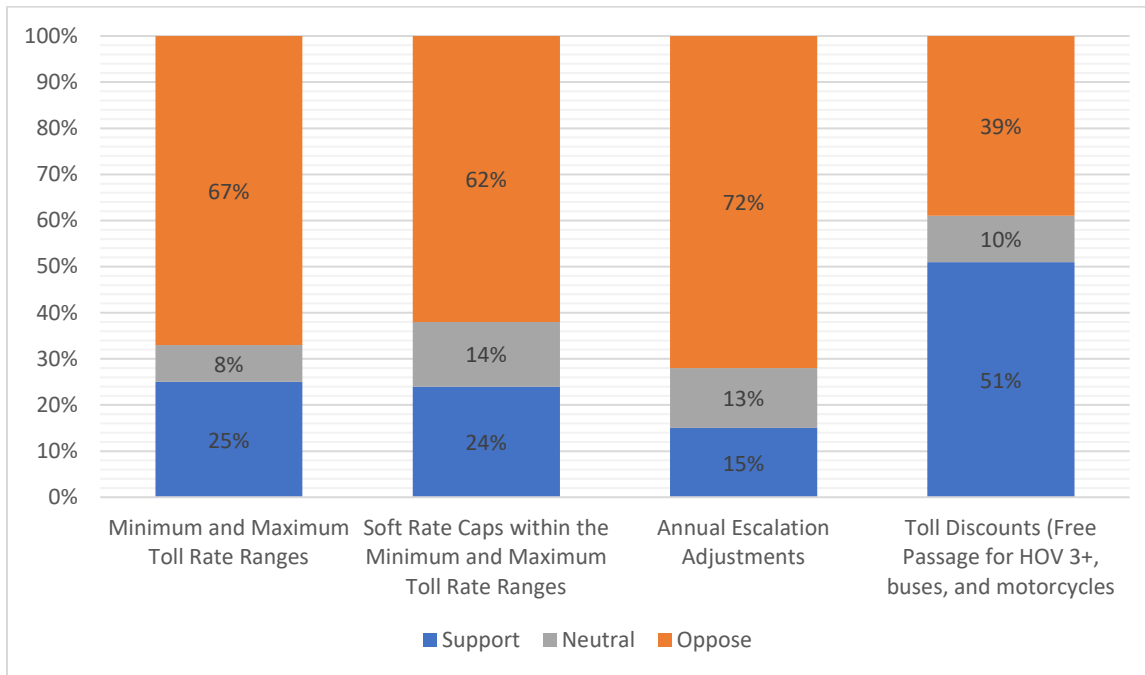


Figure 1 - Public Responses (Support, Neutral or Oppose) to Elements of the Tolling Proposal for Phase 1 South: American Legion Bridge I-270 to I-370

In addition, there were comments 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 Recommended Preferred Alternative for Phase 1 South, concern over a Public Private Partnership (P3), and requests for the exploration of mass transit alternatives to widening.

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



Table of Contents

Executive Summary	i
Table of Contents	iv
I. Public Comment Process	1
II. Respondent Data Analysis	4
III. Comment Summary and Analysis	7
IV. Other Public Comments	12
V. Recommendations from the Public	14
VI. Records Management	16
Appendix A – MDTA Public Hearings	I
Appendix B – Elected Official Contacts	IV
Appendix C – Public Comment Form	V
Appendix D – Comments by Zip Code	VII
Appendix E – Public Notice	IX
Appendix F – Comment Excerpts by Topic	XII
Table 1– Total Number of Respondents and Comments by Method	3
Figure 1 - Public Responses (Support, Neutral or Oppose) to Elements of the Tolling Proposal for Phase 1 South: American Legion Bridge I-270 to I-370	iii
Figure 2- Responses by Comment Method (Total Responses, 290)	2
Figure 3- Percentage of Comments by Source (Total Comments, 666)	3
Figure 4- Public Comments by Zip Code	5
Figure 5- Frequency of Usage	6
Figure 6- Payment Types	6

I. Public Comment Process

On May 20, 2021, the Maryland Transportation Authority (MDTA) Board unanimously approved to proceed with holding public hearings and seeking public comment on the Phase 1 South: American Legion Bridge I-270 to I-370 Tolling Proposal as part of the toll rate range setting process. The public comment period began on May 20, 2021 and continued until 5PM, August 12, 2021. Public hearings were conducted on July 12th and July 14th (two sessions each day).

The Phase 1 South: American Legion Bridge I-270 to I-370 Tolling Proposal presented to the public included:

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- For the toll rates to effectively manage demand and ensure reliability for users of the proposed HOT lanes into the future, the maximum per mile rates, soft rate caps, and unregistered video surcharge will escalate annually to account for inflation, population employment, and income growth. The minimum per mile rates and the minimum tolls are both subject to escalation for inflation only.

IV. Toll discounts for certain types of vehicles

- Free passage discount will be granted along the proposed Phase 1 South HOT lanes for HOV 3+, buses and motorcycles.

A total of 666 comments from 290 respondents were received throughout the public comment period, which began on May 20, 2021 and continued until 5PM, August 12, 2021. Two public hearings were conducted between July 12th and July 14th, each with two sessions held from 2:00 PM to 4:00 PM and 6:00 PM to 8:00 PM (see **Appendix A**). The public hearings took place at the following locations:

- July 12 – Hilton Washington D.C./Rockville Hotel & Executive Meeting Center in Rockville
- July 14 – Call-in hearing (virtual)

At the public hearings, a quorum of MDTA Board Members, the MDTA Executive Director and the MDTA Chairman were in attendance. Comments from 3 elected officials were received during the comment period, representing various jurisdictions including State and County governments (see **Appendix B**).

Submission Methods

In addition to providing public hearing testimony, public comments for the official record could be submitted through a number of methods including an online comment form, email, U.S. mail and 24/7 voicemail. 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**. Copies of the comment form are in **Appendix C**.

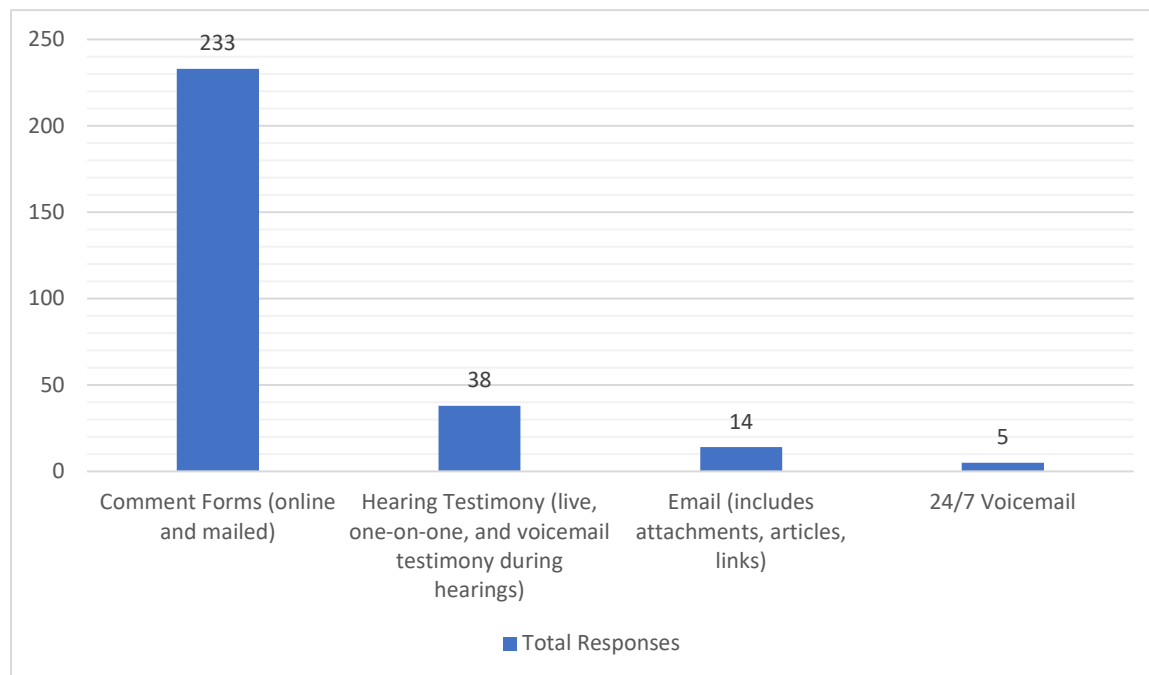


Figure 2- Responses by Comment Method (Total Responses, 290)

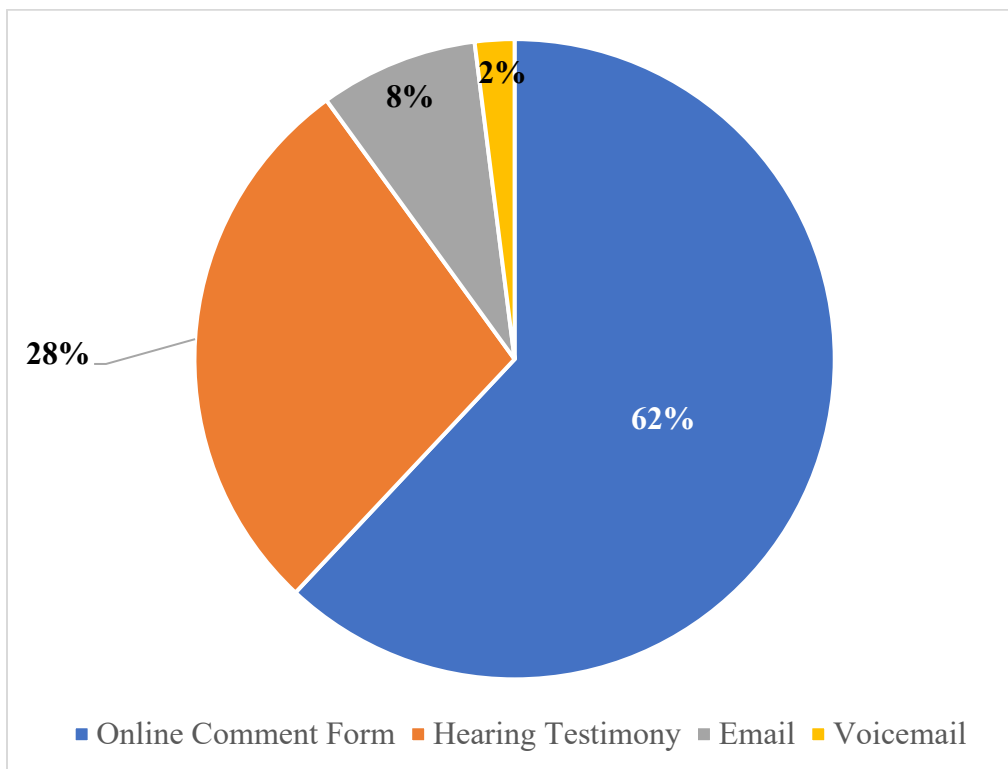


Figure 3- Percentage of Comments by Source (Total Comments, 666)

Comments received from respondents were categorized according to the element of the proposal that was being commented on. If a respondent provided multiple comments on several different elements of the proposal those comments were counted individually. A total of 290 respondents provided 666 total individual comments. Most comments received 62% (413) were received via the comment form (online and hard copy). Comments received via testimony at the public hearings accounted for 28% (187) of the comments received, email accounted for 8% (54), and 24/7 voicemails accounted for 2% (12).

Table 1– Total Number of Respondents and Comments by Method

Comment Method	Respondents (No.)	Comments (No. / % of Total)
Comment Form (online and hard copy)	233	413 / 62%
Testimony (in-person, call-in, voicemail)	38	187 / 28%
Email (attachments, letters, links)	14	54 / 8%
Voicemail (24/7 line)	5	12 / 2%
Total	290	666

Data Collection

In order to improve the quality of data collected and to better analyze the results of the specific proposals, 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. Hard copies of the comment form were also available at the in-person hearing sessions. 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 tolling proposal, 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.state.md.us) and produced audio recordings and written transcripts of the 24/7 voicemails and verbal public testimony received. Court reporters were utilized to capture testimony as well, including the one (1) one-on-one testimony provided during the in-person hearing on July 12.

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, voicemails and testimony. Of the 290 total respondents, 163 respondents provided their location. While most of the respondents were from Maryland, some were from other states including Virginia, West Virginia, Georgia, District of Columbia, Pennsylvania, and North Carolina. **Figure 4** presents a map that indicates the location of comment respondents.

The majority of comments were received from Montgomery County, accounting for 74% (120), followed by Frederick County at 6% (10), Prince George's County at 4% (7), Anne Arundel County at 2% (4), Baltimore City at 2% (3), Howard County at 2% (3), and Charles County 2% (3). Those seven counties accounted for 92% of the total comments received. Details of the comments provided by zip code can be found in **Appendix D**.

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

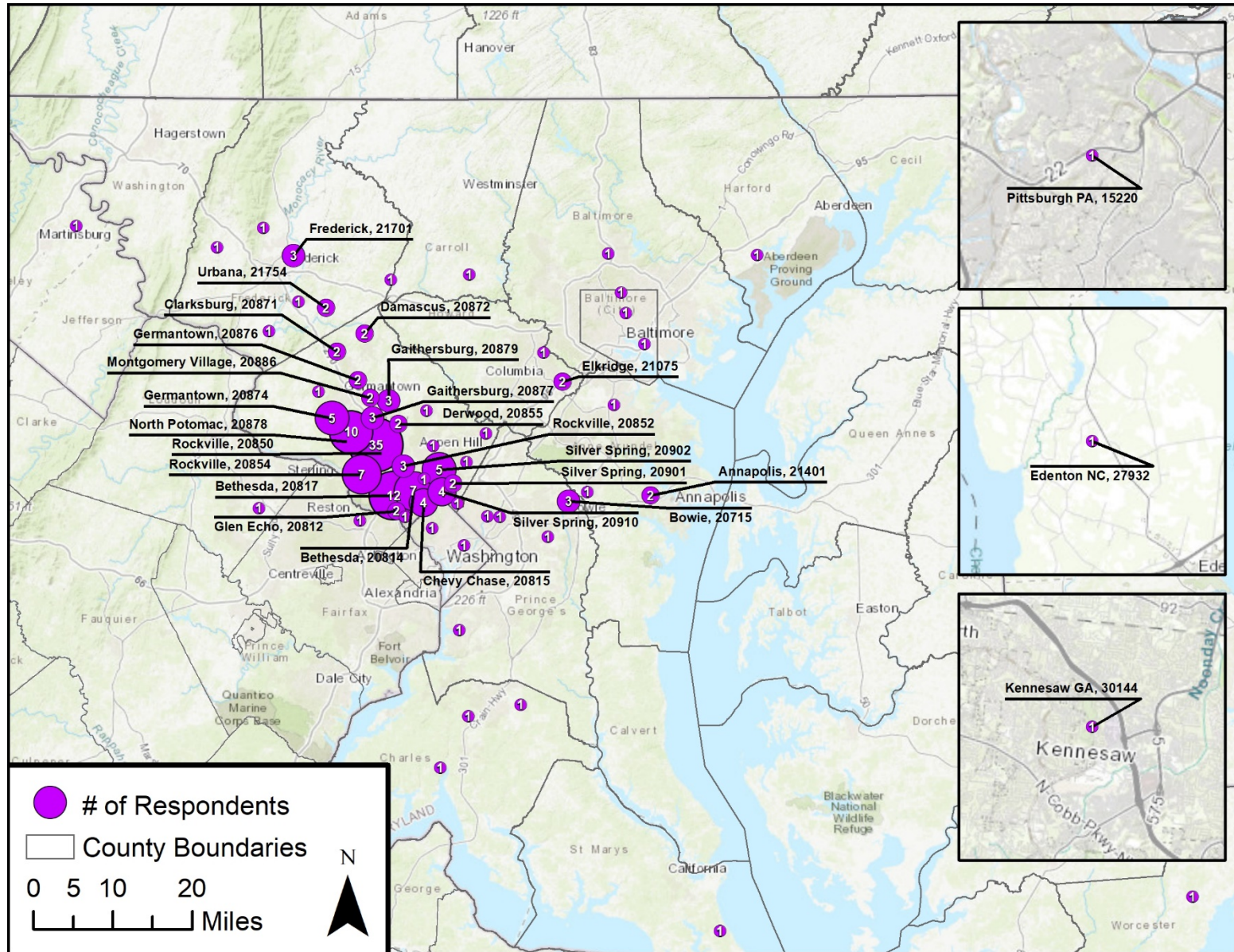


Figure 4- Public Comments by Zip Code

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



Of the 233 comment forms received, 194 respondents provided input on how often they regularly travel within the project limits. A majority of the respondents (57%) 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**.

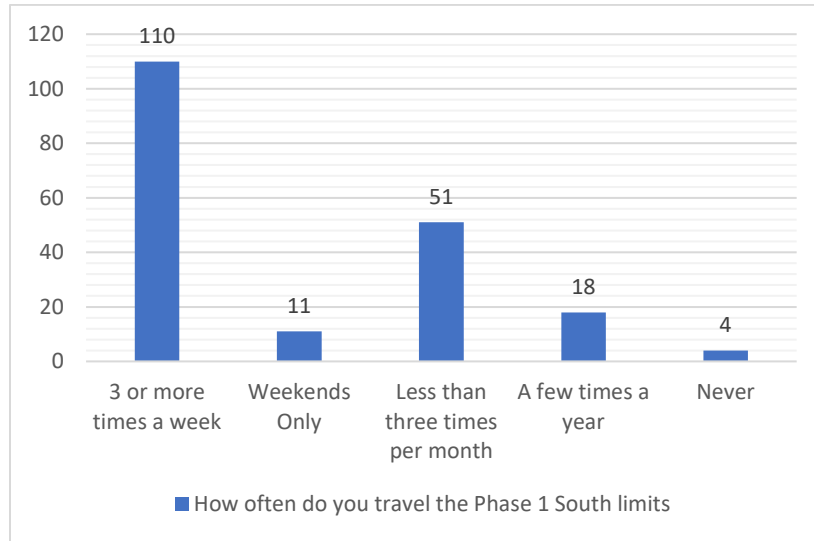


Figure 5- Frequency of Usage

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 233 comment forms received, 195 respondents provided input on how they pay for tolls. A majority of the respondents (81%) answered that they pay using *E-Z Pass*[®]. The total number of respondents for payment type are displayed in **Figure 6**.

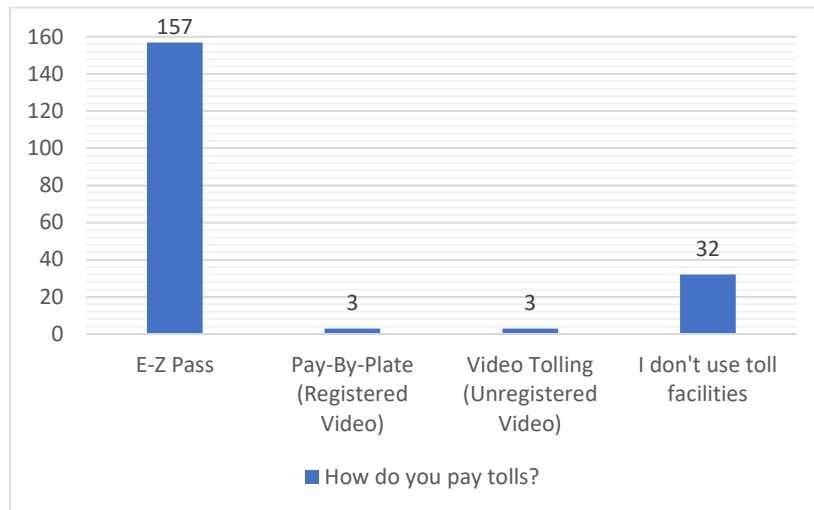


Figure 6- Payment Types

III. Comment Summary and Analysis

Public comments on the proposed Phase 1 South: American Legion Bridge I-270 to I-370 Tolling Proposal were solicited for each element, including minimum and maximum toll rate ranges, soft rate caps, annual escalation, and discounts. While testimony, voicemail and email comment methods all provided opportunities for the public to provide feedback on the tolling proposal, comments received by these methods did not always address the specific elements of the tolling proposal. Many comments received were in regard to the general concept of tolling, public-private partnerships (P3s), and the Managed Lanes Study's Recommended Preferred Alternative (RPA). Conversely, the comment form provided more structure than the testimony, voicemail and email methods; 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 tolling proposal, 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, testimony, voicemail) 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 testimony (first) and email (second), any unique comments provided in the email that were not already captured by the testimony were counted in the totals shown in this summary report.

The discussion below shows results by proposal element and a summary on the type of comments received:

Minimum and Maximum Toll Rate Ranges

Comment Form Results: Of the 233 comment forms received, 221 respondents selected a check box noting whether they support (25%), are neutral (8%), or oppose (67%) the proposed minimum and maximum toll rate ranges.

All Comments: Of the 666 total comments received (all methods), 94 provided an opinion regarding the minimum and maximum toll rate ranges.

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

Comment from 7/14/2021 @ 7:38pm states:

“The toll rates will be and will become too expensive for the average driver to pay on a daily basis.”

Comment from 7/12/2021 @ 6:14pm states:

“The proposed toll rate for the I-495 and 270 public/private partnership will just be too high for most drivers on a regular basis. The toll is highest when the traffic is greatest. The toll is high when you are most likely to use those toll lanes. The estimate -- the estimated maximum \$3.76 per mile means that the toll from the bridge to I-370 could be over \$40.00 at rush hour per trip. High price toll roads are inequitable. That means that the amount that a poor person or even an average income person pays is relatively greater. It's a greater chunk of their -- of their income. Wealthy people will be able to take the high occupancy toll lanes whenever they want, making congestion even worse for people in the regular lanes.”

The following comments are from respondents that provided their support for the proposed minimum and maximum toll rate ranges.

Comment from 8/9/2021 @ 9:50am states:

“The tolls should be whatever keeps the lanes moving at speed.”

Comment from 7/14/2021 @ 2:13pm states:

“We think that the toll rate structure proposed by MDTA is very in keeping with what is already happening in the Washington Metro area with the Express Lanes in Northern Virginia.”

Soft Rate Caps within the Minimum and Maximum Toll Rate Ranges

Comment Form Results: Of the 233 comment forms received, 195 respondents selected a check box noting whether they support (24%), are neutral (14%), or oppose (62%) the proposed soft rate caps within the minimum and maximum toll rate ranges.

All Comments: Of the 666 total comments received (all methods), 48 comments provided an opinion regarding the soft rate caps. The most common themes that developed were general opposition to tolls, that the soft rate caps are too high, that the soft rate cap mechanism is too complicated, or that a hard rate cap should be implemented.

Comment from 8/10/2021 @ 9:00pm states:

“The concept of soft rate caps is acceptable, but the proposed soft rate cap mechanism is not acceptable.”

Comment from 8/9/2021 @ 2:19pm states:

“The soft rate cap of almost 8 times the minimum needs to be re-examined. What is the justification for this rate, other than this is what other jurisdictions charge. Likewise the 1600 passenger car equivalent miles is ridiculously low. By modern engineering standards (HCM) the CLV on a high speed straight one way limited access highway is over 2200pcu.”

Comment from 7/14/2021 @ 1:25pm states:

“I should not need to get my calculator every trip to try to determine potential toll cost. How can a consumer make an informed choice on cost when the cost can change so drastically so quickly, in an environment like driving on a highway. The toll should have a set price and could change based on time or day.”

Comment from 5/21/2021 @ 12:41am states:

“It is a fig leaf. You either have a cap or you don't. This is an almost-incomprehensible proposal--a cap which is not really a cap. The State should control the toll rates by setting the toll rates, period. Turn it over to the private sector and it is guaranteed that they will attempt to extract monopoly rents from the general public. It is the government's responsibility to protect the public from monopolistic practices.”

Comment from 7/31/2021 @ 12:31pm states:

“If there were to be tolls, why is there not an option to support a hard rate cap?”

The following comments are from respondents that provide their support for the proposed soft rate caps.

Comment from 7/12/2021 @ 6:14pm states:

“It looks lower than most toll services provided elsewhere.”

Comment from 7/14/2021 @ 2:11pm states:

“Maryland is one of only a couple of states with rate caps on their variable price toll lane systems. These statutory exceptions are essential protections for consumers.”

Annual Escalation Adjustments

Comment Form Results: Of the 233 comment forms received, 192 respondents selected a check box noting whether they support (15%), are neutral (13%), or oppose (72%) the proposed annual escalation adjustments.

All Comments: Of the 666 total comments received (all methods), 50 comments provided an opinion regarding the annual escalation adjustments. The most common themes that developed were general opposition to tolls, escalation should not be automatic, and escalation should be limited to the rate of inflation. Some examples of the reasons for opposing the proposed annual escalation adjustments included:

Comment from 8/9/2021 @ 9:58pm states:

“Inflation needs to be accounted for, and these segments primarily serve traffic from an area with higher-than-average income. However, on other projects serving a greater mix of local and long-distance traffic, I would not support using the local income or CPI since drivers from lower-income areas might be more frequent users.”

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

Comment from 8/8/2021 @ 7:14pm states:

“Good idea. Without setting this public expectation, MTA would have to fight a war for every escalation.”

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

Comment Form Results: Of the 233 comment forms received, 190 respondents selected a check box noting whether they support (51%), are neutral (10%), or oppose (39%) the proposed discounts.

All Comments: Of the 666 total comments received (all methods), 79 comments provided an opinion regarding the toll discounts. The most common theme that developed was overall support for the proposed discounts but are concerned with which vehicle types and HOV classification should or should not receive a discount. Some examples include:

Comment from 8/9/2021 @ 9:18am states:

“Setting the toll discount at HOV 3+ is a terrible idea, please consider making it HOV 2+. It's possible for a married couple to utilize the HOV 2 lane, but not HOV 3. HOV 3 will not be utilized by nearly enough people and will only cause further traffic problems for regular commuters. With a global pandemic still on-going it's dangerous to ask

commuters to share their cars with strangers. The current HOV 2 lane is already not fully utilized. If you creating additional toll lanes, why not just create one HOV 3 lane and keep one as HOV 2 but extend it to the American Legion Bridge. ”

Comment from 5/23/2021 @ 7:24pm states:

“Those who comply with HOV 3+ and buses should be able to participate. Motorcycles should be prohibited from toll discounts. They make tremendous noise, are unsafe and should be with the rest of the vehicles, and do not deserve special privileges on the Toll Discount issue. If anything, they should pay exactly the same as any non-HOV 3+ toll user.”

Comment from 7/14/2021 @ 1:19pm states:

“I don’t think motorcycles which are usually single driver, should be included.”

Comment from 8/8/2021 @ 7:13pm states:

“Fully electric vehicles should get some type of discount as well.”

Comment from 8/11/2021 @ 9:57am states:

“The MdTA should also consider a program for means-based toll discounts to improve the equity of this tolling program.”

The following comments is from respondents that provided their support to the proposed discounts.

Comment from 8/8/2021 @ 10:38pm states:

“If there are tolls, there should be discounts or fees should be waived entirely for HOVs, buses, and electric vehicles.”

Comment from 8/11/2021 @ 9:57am states:

“We support the State's position that all buses, motorcycles, and HOV 3+ vehicles, both public and private, have free access to the managed lanes.”

IV. Other Public Comments

Of the 666 total comments received (all methods) on the Phase 1 South: American Legion Bridge I-270 to I-370 Tolling Proposal, there were 395 comments submitted by the public on topics other than the specific tolling proposal 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 5/30/2021 @ 2:07pm states:

“I think this plan is Garbage. I do not support the implementation of Toll Roads, and believe that they are a massive drain on our society and our economy. They may as well call them White People Roads, because that's who they are designed for (and who can afford it).”

Comment from 7/6/2021 @ 4:06pm states:

“There should be no tolls. Freeways are meant to be free.”

Comment from 8/10/2021 @ 11:07pm states:

“There should be no tolls. Tolls are for the rich. Tolls don't reduce traffic since they don't make money if people don't use the toll lanes. No Lexus lanes! Why pay taxes to drive on our own roads!”

Comment from 7/12/2021 @ 2:49pm states:

“The vast majority of people who regularly use I-270 and I-495, will find the toll lanes outrageously unaffordable, the rush hour maximum. When the toll lanes open will be over \$4 a mile. The same people will find the free lanes, more congested than ever, and the cause of social and economic justice setbacks.”

Comment from 8/5/2021 @ 10:12am states:

“Consider socioeconomic privilege and the discrimination implied in setting numbers.”

Comment from 7/12/2021 @ 2:52pm states:

“And if you were to ask LBJ or, you know, the other authors as a civil rights act, people were put that law enacted that in Congress in 1964. How do you feel about this idea that we're going to force people Everyone who has to go to work to pay these kinds of prices. Is this fair? Is this a good deal for the people who are intended to be protected, including low income, in addition to those other classifications of people who are covered by the civil rights act, but it would be, I think there'll be astonishment and maybe some laughter and just, you know, kind of blank stares that the notion that any system that's going to

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



create this high cost for commuting would be in any way equitable to the people who the civil rights act was designed to protect.”

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

Comment from 8/9/2021 @ 8:31am states:

“Really opposed to having private sector running this. Should be state road run by state govt.”

Comment from 6/9/2021 @ 8:56am states:

“If revenue is short, raise Federal or State taxes on fuel to pay for roads. There is no reason for the State Government to give or lease public assets to any private entity, unless the State Government is unable to finance construction. In this case, the State of Maryland can finance the project at lower interest rates than any private sector entity could, resulting in lower total costs over the life of the project. The state should finance the project through direct collection of tolls, other forms of road pricing or through fuel taxes.”

Comment from 7/12/2021 @ 6:14pm states:

“Furthermore, we can expect the toll rate ranges will continue to go higher each year based on the terms of the contract. Now, why are we predicting that the toll rates will increase? Because this is a private company. It has a fiduciary responsibility to its shareholders. We all know this. If it were a government program, it would be providing a service for the common good.”

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

Comment from 5/25/2021 @ 9:29am states:

“The solution COVID has taught us. Government/State workers and those that can who Work from home should do so. The roads are starting to get CRAZY again. Toll Roads? New Roads? NO ROOM! at least here on 270 in Frederick County.”

Comment from 8/9/2021 @ 2:38pm states:

“I am against the proposed tolls. They are not needed. The traffic problem is not between the American Legion Bridge and I-370, it is from Germantown and Frederick. At the beginning of I-270, there are 7 lanes heading westward, the lanes reduce to 2 lanes on I-270 at Germantown. 7 lanes to 2 lanes...terrible traffic management. A similar problem occurs heading into VA on the Beltway. At I-270 and the beltway intersection, the traffic goes from 6 lanes to 4 lanes heading into Virginia. The roadway from the Rt 193 to the

Dallas Access Road should be widened to 6 lanes from its current 4 lanes. Terrible traffic management by MD and VA.”

Comment from 8/5/2021 @ 11:59am states:

“The phrase "tolling to subsidize the creation new lanes" is inherently disagreeable to society in that it creates potential economic inequities (tolling and being forced into potentially slower lanes) as well as a poor use of mass infrastructure funding that should better be spent on mass transit instead of the creation of new lanes for SOVs. New lanes could be better used by society as BRT or ROW for future Metro or public rail use.”

V. Recommendations from the Public

The following comments, in addition to providing feedback, also included specific recommendations on various elements of the tolling proposal:

- Minimum and Maximum Tolls
 - “The minimum toll rates appear to be excessively high in comparison to current tolls on other regional facilities. The minimum toll for the I-495/I-270 Managed Lanes of \$0.20/mile is nearly identical to the current *peak* toll on MD 200 (\$0.22/mile). Similarly, the I-95 Express Toll Lanes north of Baltimore have *maximum* tolls of roughly \$0.20/mile. The Dulles Toll Road, where tolls have been set to fund the Metro Silver Line, has a toll of \$0.23/mile. The *maximum* rates on these other regional facilities are comparable to the *minimums* proposed for I-495/I-270. Based on this comparison, it appears that the minimum proposed toll should be sufficient to cover the cost of the project and might be more appropriate as the average toll rate.”
 - “Setting max and min rates might limit officials' ability to effectively respond to changes in traffic patterns--especially if those changes are unpredicted. If max/min must be announced, make sure they define a very wide range (3-4? Std. Dev.?)”
 - “The max toll should be no more than \$5 for a full length trip.”
- Soft Rate Caps
 - “I would suggest a hard cap of \$10.”
 - “The demand factors penalize drivers when traffic recovers. Assume that a bad accident closes the HOT lines for some time, and then the accident is completely cleared. Assume the case of passenger vehicle with soft rate cap of \$1.50 and maximum rate of \$3.76. Assume the demand factors of 1.25 and 0.9 are triggered by the increased congestion and then the later free flow of traffic. Time of increase: At maximum demand factor increase of 1.25, the rate cap would exceed the maximum rate in the fifth five-minute interval (\$3.66 after 20 minutes, \$4.58 capped at \$3.76 during the next five-minute period). Time of decrease: At the

recovery factor of 0.90, the rate cap declines to the minimum rate in the ninth five-minute interval (\$1.62 after 40 minutes, \$1.46 capped at \$1.50 in the next five-minute period). It takes approximately twice as long for the cap to decline as it does to rise.”

- Escalation
 - “Perhaps the tolls should be limited to escalation steps from the minimum based on specific operating conditions that are clear and transparent to the MDTA facility and customers, especially given the very high proposed minimum tolls and the very wide allowable toll range.”
 - “The MDTA should play a key role in balancing the rate setting with the protection of the cost to the user of the toll lanes during the 50-year duration of the contract. MDTA should have final authority on the rate each year based on the input from the developer.”
 - “As for growth in demand, it seems that these factors are based on population/income in general but not actually tied to more demand for the HOT lanes. I think that the private partner should have to present actual evidence that demand has increased for the HOT lanes or that its costs have gone up.”
 - “Should be tied to rate of inflation. However most people don’t get inflation adjusted income so increases should always be less than inflation rate.”
 - “The user’s escalation factor is unclear and no escalation cap established; a maximum cap is recommended to be set at 2% per year.”
- Discounts
 - “MDTA should set a zero-toll or minimum-only toll for official State and Local Government Vehicles (highway maintenance, public service, public safety, etc.)
 - “Discounts should also apply for zero emission vehicles.”
 - “Commuter rate needs to be considered, as done for bay bridge and tunnel commuters.”
 - “MDTA should consider a program for means-based toll discounts to improve the equity of this tolling program.”
 - “Most people do not have three people in a car when they travel. At least change it to two to help people travel.”
- Tolls – General
 - “Clearer boundaries defining the setting of tolls by the operator within the allowed ranges should be established and published.”
 - “To increase access and improve utilization of the proposed facilities and to reduce the inequity of this approach, perhaps the toll rate could be indexed to achieve a minimum speed differential rather than a fixed minimum speed.”
 - “The user rates should be set for the year that the facility opens.”

- “The 1600 passenger car equivalent miles is ridiculously low. By modern engineering standards (HCM) the CLV on a high speed straight one way limited access highway is over 2200pcu.”
- “Trucks should all be assessed the same minimum rate during non-peak times especially at night. They also should be extremely discouraged from running during peak times as heavy trucks by their operational limitations can quickly congest traffic.”
- “Motorcycles and trucks should not be eligible to use these lanes.”
- “Motorcycle drivers should also pay equitable tolls to use tolled roads as other motorists.”
- Payment Types
 - “The MDTA should consider applying a fixed charge (per trip/per mile/per segment) for processing non-E-ZPass transactions rather than a multiplier on the toll.”
 - “At most the additional charges for paying by plate should probably be no more than 5%. Documentation needs to be provided for justifying a 25% penalty cost. Likewise a 50% penalty cost for unregistered video tolling also seems excessive as this is also an automated process with marginal administrative costs perhaps the largest being the mailing costs.”

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, are available for review online at mdta.maryland.gov/ALB270TollSetting. Please email ALB270TollSetting@mdta.maryland.gov, for further information.

Appendix A – MDTA Public Hearings

The MDTA held two public hearings. There were 38 people in attendance, including 3 elected officials. Of the 38 people in attendance, 31 testified publicly before the MDTA Board. The public was also able to submit official comments through one on one testimony, online comment form or voicemail. Throughout the hearings, 7 people provided voicemail testimony.

Total Attendance Numbers at Phase 1 South Toll Rate Range Setting Process Public Hearings

Date/Location	Total Number Signed In (public and elected officials)	Number Public Testimony	Number One-on-One Testimony	Number of Elected Officials	Number of Written Comment Forms	Number of Voicemail Comments
July 12 – In-Person/ Hilton	18	15	1 ¹ (0)	3	0	0
July 14 – Call in	20	13	0	0	0	12 ² (7)
Total	38	28	0	3	0	7

¹This person provided both public and one-on-one testimony, only counted once in the public total

²Five of these people provided public testimony in addition to voicemails, only counted once in the public total

Here are the general themes from the in-person verbal testimony:

- All project study information, including the SDEIS, is not available yet, so how can we move forward and approve tolls without all the data?
- With increased teleworking will the traffic congestion come back?
- Support for a reversible lane’s alternative.
- Distrust towards Public Private Partnerships (P3s), and Transurban.
- Privatizing roadways can lead to significant control of regional transportation by private companies accountable to their shareholders rather than the public. The tolls on the proposed I-495 and I-270 Public-Private Partnership (P3) express toll lanes will deliberately be set high to guarantee profits for toll company shareholders.
- Toll rates will be too high for average drivers on a daily basis. The 2021 toll rate for a passenger vehicle with an E-ZPass on the I-270 portion will be 20 cents/mile and the maximum \$3.76/mile, depending on the traffic conditions. Video tolling rates would range as high as \$5.64/mile. That means the toll from the bridge to I-370 could be over \$40 at peak times!

- Actual toll rates will be higher when the road is operating. The toll rate ranges will continue to escalate every year for the 50 years of the contract to account for inflation and other escalation factors.
- High price toll roads are inequitable. This plan turns public land over to private investors to give a huge benefit to wealthy people. Wealthy people will be able to take the HOT lanes whenever they want while making congestion worse for people in the regular lanes.
- Expensive toll roads are a regressive form of taxation in which low-income drivers may spend a larger percentage of their income on tolls than high-income drivers. Maximum toll rates should be accessible to working class families.
- The proposed project is financially risky and does not show good stewardship of Maryland's financial well-being. The more expensive the project, the higher the tolls have to be to cover the costs. The cost of building the express lanes is based on assumptions and projections that no longer apply and the cost of building the express lanes is unknown.
- Congestion must be maintained on the free lanes to get people to pay to use expensive managed lanes. The bulk of revenue from express toll lanes needs to be collected at rush hour and it is unclear how teleworking will affect rush hour traffic.

Here are the general themes from the call-in verbal testimony:

- Opposition themes:
 - Commenters expressed opposition against the project as a whole. Cannot support results of toll rate range setting process due to deficiencies. Shouldn't be any toll roads at all. History of roadway expansion doesn't improve congestion. Issue of induced demand: more highway lanes = more cars will fill them. National Cap. Region TPB recently voted to take it out and doesn't seem worth pursuing. Little legal redress may be sought by citizens of MD after contract is in effect.
 - Other alternatives of traffic relief should be considered. Reversible lanes would be more effective. Transit solutions would be better. Very impactful. Ramps to toll lanes will be destructive to environment and properties. Won't relieve congestion or reduce pollution which is #1 source of GHG (transportation). Focus efforts on state (transit, bike, ped) - things that reduce need for people to travel by car on roadways. Inadequate traffic analyses, as well as inadequate transit studies. Doesn't create additional capacity - only rearranges current capacity. Build housing so people can live where they work to reduce traffic problems. Pandemic may lessen volumes.
 - Environmental consequences of the project. Bad project, bad for environment, bad for our planet. Will have environmental impact and impact on people that live close to the planned expansion and the homes might be impacted by construction.
 - The toll lanes will be too expensive. Only wealthy can afford toll lanes; Unfair to middle- and lower-income populations. Will increase costs for average tax payer.

- Opposition to Public Private Partnerships. Private partner will get higher profit and not in public's best interest. Preliminary due diligence document states the developer can set tolls to maximize throughput OR maximize revenue, and is then noted that the rate must be set to maximize revenue - what are actual P3 program goals & how does maximizing revenue help public interest? No one wants the project except ones that can make money off of it.
- More project details need to be provided. No information provided on what the total expected toll would be 'end to end' during rush hour. Need more detail on profit margins (does MD receive any excess revenue)? Note about toll rates shown in Virtual Information Room hearing materials being for illustrative purposes only and will be set by developer - how does this support an informed decision? Unclear what tolls would actually be. Very expensive project with too many unknowns.
- Support themes:
 - Support for economic and personal purposes. No better way to finance improvements for the American Legion Bridge and I-270 because MD doesn't have funds or bonding capacity. Only other way would be to raise taxes. Significant share of tolls will be paid from out of state residents because they are passing through. Critical to the industry. Concerned about deteriorating condition of nation's roads, interstates, bridges, etc. in MD and national capital area.
 - The toll rate structure is consistent with other toll facilities and familiar to most drivers. MD is only one of few states with rate caps, which are essential protection measures for consumers. Compared potential toll rates to VA indicating they'd be less than VA rates. Toll rate structure proposed by MDTA is consistent with what is happening in VA. Drivers in the Metro area have already used express lane concept and it is not foreign to them. Proposed toll structure is equitable. Consumers/drivers can make their own choice to remain in HOT lanes or get into the GP lanes. Only people paying the toll are SOVs choosing to do so in order to guarantee a reliable trip.
 - This project is necessary to improve the quality of life in the region. Purpose of managed lanes is to provide a reliable option 24 hours/day. Right now that opportunity doesn't exist including rush hour. These HOT lanes will benefit everyday people and will save time. Those not paying tolls will still benefit (toll rate for HOV3+; transit buses; bikes/peds on shared use path; and general purpose lanes is \$0.00). Time spent in traffic on highways makes estimating arrival times nearly impossible. Wasted time is expensive and drives up cost (employees going to work; inspectors going to facility; trucks going to jobs). Will help shift traffic and improve safety. HOT lanes will cut down on fuel consumption (use less fuel then if stuck idling or stop/go conditions). Option to spend money on tolls (not mandatory) to save minutes per day can be well worth it. Sitting in traffic impacts personal health.



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



Appendix B – Elected Official Contacts

Title	Name	Comment Method
Senator – District 17	Cheryl Kagan	7/12/2021: Verbal Public Testimony and One-on-One Public Testimony
Delegate – District 18	Al Carr	7/12/2021: Verbal Public Testimony
Mayor – City of Rockville	Bridget Donnell Newton	7/12/2021: Verbal Public Testimony

Appendix C – Public Comment Form

Phase 1 South Toll Rate Range Setting Process
PUBLIC HEARINGS
American Legion Bridge I-270 to I-370Maryland
Transportation
Authority

COMMENT FORM

1. I wish to comment on the following elements of the tolling proposal as presented for review within the Virtual Information Room available at mdta.maryland.gov/ALB270TollSetting* (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:

1

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

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 comment period from **May 20, 2021, through August 12, 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 is holding 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 public comment period for proposed High-Occupancy Toll (HOT) lanes within Phase 1 South: American Legion Bridge I-270 to I-370. The hearings will provide an opportunity to comment for the official record through verbal public or one-on-one testimony or through written comment. Register to provide testimony at a public hearing at mdta.maryland.gov/ALB270TollSetting or call 888-725-0174. There will be no formal presentation during the public hearings, and no responses to questions will be given. The public will be able to listen live to the hearings via telephone or livestream at mdta.maryland.gov/ALB270TollSetting. ALL COMMENTS received, whether at the hearing or through other methods, will be given EQUAL CONSIDERATION.

**If you are unable to access the hearing 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 mdtaeeoc@mdta.maryland.gov or at 410-537-6720 at least ten days prior to the first public hearing.*

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



Appendix D – Comments by Zip Code

ZIP / Postal Code	Number of Comments	Mailing City	Jurisdiction	State
21710	1	Adamstown	Frederick	MD
21401	2	Annapolis	Anne Arundel	MD
21224	1	Baltimore	Baltimore City	MD
21212	1	Baltimore	Baltimore City	MD
21218	1	Baltimore	Baltimore City	MD
20814	7	Bethesda	Montgomery	MD
20816	1	Bethesda	Montgomery	MD
20817	12	Bethesda	Montgomery	MD
20715	3	Bowie	Prince George's	MD
20841	1	Boysd	Montgomery	MD
20866	1	Burtonsville	Montgomery	MD
20815	4	Chevy Chase	Montgomery	MD
20871	2	Clarksburg	Montgomery	MD
21114	1	Crofton	Anne Arundel	MD
20872	2	Damascus	Montgomery	MD
20855	2	Derwood	Montgomery	MD
20166	1	Dulles	Loudoun	VA
27932	1	Edenton	Chowan	NC
21040	1	Edgewood	Harford	MD
21784	1	Eldersburg	Carroll	MD
21075	2	Elkridge	Howard	MD
21043	1	Ellicott City	Howard	MD
20744	1	Fort Washington	Prince George's	MD
21701	3	Frederick	Frederick	MD
21702	1	Frederick	Frederick	MD
21704	1	Frederick	Frederick	MD
20877	3	Gaithersburg	Montgomery	MD
20878	1	Gaithersburg	Montgomery	MD
20879	3	Gaithersburg	Montgomery	MD
20874	5	Germantown	Montgomery	MD
20876	2	Germantown	Montgomery	MD
21061	1	Glen Burnie	Anne Arundel	MD
20812	2	Glen Echo	Montgomery	MD
30144	1	Kennesaw	Cobb	GA
20895	1	Kensington	Montgomery	MD
20653	1	Lexington Park	Montgomery	MD
21093	1	Lutherville	Baltimore	MD
25404	1	Martinsburg	Berkeley	WV
22102	1	McLean	Fairfax	VA

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



21769	1	Middletown	Frederick	MD
20721	1	Mitchellville	Prince George's	MD
20886	2	Montgomery Village	Montgomery	MD
21771	1	Mount Airy	Frederick	MD
21841	1	Newark	Worcester	MD
20878	9	North Potomac	Montgomery	MD
20832	1	Olney	Montgomery	MD
15220	1	Pittsburgh	Allegheny	PA
20677	1	Port Tobacco	Charles	MD
20854	1	Potomac	Montgomery	MD
20737	1	Riverdale	Prince George's	MD
20738	1	Riverdale	Prince George's	MD
20850	35	Rockville	Montgomery	MD
20852	3	Rockville	Montgomery	MD
20854	6	Rockville	Montgomery	MD
20901	2	Silver Spring	Montgomery	MD
20902	5	Silver Spring	Montgomery	MD
20904	1	Silver Spring	Montgomery	MD
20906	1	Silver Spring	Montgomery	MD
20910	4	Silver Spring	Montgomery	MD
20912	1	Takoma Park	Montgomery	MD
21754	2	Urbana	Frederick	MD
20601	1	Waldorf	Charles	MD
20002	1	Washington	District of Columbia	DC
20008	1	Washington	District of Columbia	DC
20695	1	White Plains	Charles	MD

Total Respondents Providing Zip Codes = 163

Appendix E – Public Notice

Two public notices were printed in the following newspapers:

Legal Ad #1 (announced opening of comment period on May 20, ways to comment and public hearing material availability in the Virtual Information Room):

- Afro American – 5/29/21
- El Tiempo Latino – 5/28/21
- The Enquirer-Gazette – 5/27/21
- Frederick News-Post – 5/27/21
- Laurel Leader – 5/27/21
- Maryland Register – 5/21/21
- Prince George’s Post – 5/27/21
- Washington Hispanic – 5/28/21
- The Washington Post – 5/27/21

Legal Ad #2 (announced hearing dates and how to register to provide testimony at a hearing):

- Afro American – 6/12/21
- El Tiempo Latino – 6/11/21
- The Enquirer-Gazette – 6/10/21
- Frederick News-Post – 6/10/21
- Laurel Leader – 6/10/21
- Maryland Register – 6/4/21
- Prince George’s Post – 6/10/21
- Washington Hispanic – 6/11/21
- The Washington Post – 6/10/21

These legal ads were also included in the Maryland Register (Legal Ad #1 on May 21, 2021 and Legal Ad #2 on June 4, 2021).

Additionally, public outreach included the use of digital ads; project webpage; social media posts to Facebook, Twitter and Instagram; MDOT MVA monitor slide; e-blasts to stakeholders; and hard copy flyers. Outreach included contacting targeted environmental justice (low-income and minority) areas via email and mailing or leaving hard copy flyers (e.g., housing developments, churches, schools, grocery stores, etc.).

Maryland Transportation Authority

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

Toll Rate Range Setting Process – Public Comment Summary Report



Legal Ad #1

Notice for Public Comment — PHASE 1 SOUTH: AMERICAN LEGION BRIDGE I-270 TO I-370 TOLL RATE RANGE SETTING PROCESS

The Maryland Transportation Authority (MDTA) has the responsibility under Maryland law to fix, revise, and set toll rates in accordance with the Transportation Article §4-312 of the Annotated Code of Maryland and Code of Maryland Regulations (COMAR) Title 11 Department of Transportation, Subtitle 07 MDTA, Chapter 05 Public Notice of Toll Schedule Revisions (11.07.05). As a partner in Phase 1: The American Legion Bridge I-270 to I-370 Relief Plan, the MDTA is seeking public comment on the tolling proposal as part of the toll rate range setting process for Phase 1 South: American Legion Bridge I-270 to I-370.

As of May 20, 2021, public comment is being accepted, and all public hearing materials are available in the Virtual Information Room at mdta.maryland.gov/ALB270TollSetting. Written comments and call-in testimony through voicemail will be accepted for the official record through Thursday, August 12, 2021 at 5 p.m. Comments may be provided by submitting an electronic comment form at mdta.maryland.gov/ALB270TollSetting; downloading and emailing a completed comment form to ALB270TollSetting@mdta.maryland.gov; printing and mailing a completed comment form to Phase 1 South: American Legion Bridge I-270 to I-370 Toll Rate Range Public Comment, Maryland Transportation Authority, 2310 Broening Highway, Baltimore, MD 21224; or providing call-in testimony at 855-701-1977 and leave a single voicemail that is limited to three minutes.

The table below provides proposed toll rate ranges in cost per mile (\$/mile) for all vehicle and payment types associated with use of future High-Occupancy Toll (HOT) lanes within Phase 1 South: American Legion Bridge I-270 to I-370. The vehicle classifications, payment methods and associated multipliers are consistent with existing MDTA facilities. For example, the 3-axle light multiplier is 1.5x the 2-axle rate for the same payment type and the multiplier between Video Tolling (unregistered video) and electronic toll collection (ETC) for the same vehicle classification is 1.5x. Tolls will be collected electronically at highway speeds, using overhead gantries, with no toll plazas or toll booths (cashless tolling). Overhead tolling gantries will be placed within each tolling segment along Phase 1 South: American Legion Bridge I-270 to I-370. The toll rates are determined on a segment-by-segment basis and summed to form a trip. The toll rate per mile may vary within each tolling segment based on traffic conditions, resulting in higher rates in the more congested segments and lower rates in the less congested segments.

PROPOSED TOLL RATE RANGES, SOFT RATE CAPS, DISCOUNTS, AND FREE PASSAGE FOR VEHICLE CLASSIFICATIONS BY PAYMENT TYPE


VEHICLE CLASSIFICATIONS	GENERAL PURPOSE LANES	Payment Type	HOT LANES			HOV 3+ Vanpools Carpools	Buses Motorcycles
			Proposed Toll Rate Ranges (2021\$/mile) ²				
			Minimum Toll Rate Range ²	Soft Rate Cap	Maximum Toll Rate Range		
Passenger Vehicle (2-axle)	Free	Electronic Toll Collection (ETC) <i>E-ZPass</i>	\$ 0.20	\$ 1.50	\$ 3.76	Free	Free
Motorcycle			\$ 0.00	\$ 0.00	\$ 0.00		
3-axle Light			\$ 0.30	\$ 2.25	\$ 5.64		
3-axle Heavy			\$ 0.40	\$ 3.00	\$ 7.53		
4-axle Light			\$ 0.51	\$ 3.75	\$ 9.41		
4-axle Heavy			\$ 0.61	\$ 4.50	\$ 11.29		
5-axle			\$ 1.21	\$ 9.00	\$ 22.58		
6+-axle	\$ 1.52	\$ 11.25	\$ 28.22				
Passenger Vehicle (2-axle)	Free	Pay-By-Plate (Registered Video) (1.25x ETC)	\$ 0.25	\$ 1.88	\$ 4.70	Free	Free
Motorcycle			\$ 0.00	\$ 0.00	\$ 0.00		
3-axle Light			\$ 0.38	\$ 2.81	\$ 7.05		
3-axle Heavy			\$ 0.50	\$ 3.75	\$ 9.41		
4-axle Light			\$ 0.64	\$ 4.69	\$ 11.76		
4-axle Heavy			\$ 0.76	\$ 5.63	\$ 14.11		
5-axle			\$ 1.51	\$ 11.25	\$ 28.23		
6+-axle	\$ 1.90	\$ 14.06	\$ 35.28				
Passenger Vehicle (2-axle)	Free	Video Tolling ⁴ (Unregistered Video) (1.5x ETC)	\$ 0.30	\$ 2.25	\$ 5.64	Free	Free
Motorcycle			\$ 0.00	\$ 0.00	\$ 0.00		
3-axle Light			\$ 0.46	\$ 3.38	\$ 8.47		
3-axle Heavy			\$ 0.61	\$ 4.50	\$ 11.29		
4-axle Light			\$ 0.76	\$ 5.63	\$ 14.11		
4-axle Heavy			\$ 0.91	\$ 6.75	\$ 16.93		
5-axle			\$ 1.82	\$ 13.50	\$ 33.86		
6+-axle	\$ 2.28	\$ 16.88	\$ 42.33				

¹Total unregistered video surcharge (difference between ETC toll and unregistered video toll amount) cannot exceed \$15 per trip. The surcharge is subject to escalation as defined below.
²The minimum trip toll (not per mile) by payment type for all vehicle types would be \$0.50 for customers using E-ZPass[®], \$0.63 for customers using Pay-By-Plate (Registered Video), and \$0.75 for customers using Video Tolling (Unregistered Video).
³Escalation formulas can be found at mdta.maryland.gov/ALB270TollSetting.
⁴Customers can receive an early payment discount of 15% off their toll up to \$5 for unregistered video trips if paid before notice is mailed.

- The **minimum toll rate** is the lowest per-mile toll rate a vehicle may be charged within any tolling segment for the HOT lanes or the lowest total toll that may be charged regardless of how far a vehicle has traveled on the HOT lanes (not per mile). The minimum toll rate ensures short trips on the HOT lanes facility are charged a flat minimum toll to cover the toll capture, processing, and collection costs.
- The **soft rate cap** is the per-mile toll rate that can only be exceeded when at least one of the following thresholds are met within a given tolling segment along the HOT lanes during the preceding 5-minute period: traffic volume exceeds 1,600 passenger car equivalent vehicles per hour per lane (PCEphl) or the average speed in a tolling segment is below 50 mph. The soft rate cap will always be lower than the maximum toll rate and can be exceeded only temporarily to provide customers who choose to pay a toll, a faster and more reliable trip. Exceeding the soft rate cap would apply to a specific toll segment under certain defined conditions, not a whole trip. The soft rate cap will only be exceeded until the throughput and speed performance targets are achieved, and then the toll rate will gradually return to the soft cap or below. Although not standard practice in the tolling industry, the MDTA is choosing to be one of only two states in the United States to set a soft rate cap to constrain the toll rate as a protective measure for customers.
- The **maximum toll rate** is the highest per-mile toll rate that may be charged within any tolling segment for the HOT lanes. **Under no circumstance will the maximum toll rate be exceeded.** In extremely rare circumstances when traffic demand is very high within a given tolling segment (e.g., severe crashes or extreme weather events), the toll rate may reach the maximum toll rate. The toll rate is determined on a segment-by-segment basis. The probability is highest on the northbound portion of Phase 1 South, just north of the American Legion Bridge.
- Escalation** - The approved toll rate ranges are intended for the duration of the Phase 1 South: American Legion Bridge I-270 to I-370 agreement (anticipated to be 50 years). For the toll rates to effectively manage demand and ensure reliability for users of the HOT lanes into the future, the maximum per mile rates, soft rate caps, and unregistered video surcharge rates will escalate over time to account for inflation, population employment, and income growth. The minimum per mile toll rate ranges and the minimum trip tolls are both subject to escalation for inflation only.

The MDTA also is planning public hearings to seek public testimony on the proposed toll rate ranges for Phase 1 South: American Legion Bridge I-270 to I-370. The hearings will provide an opportunity to comment for the official record through verbal public or one-on-one testimony or through written comment. **Public hearing materials should be reviewed prior to attending a public hearing.**

The MDTA will provide dates and details in future announcements for virtual and in-person public hearings to be scheduled during the comment period. Registration to provide testimony at a public hearing will open once the public hearing dates are announced. For in-person hearings, all CDC guidelines related to COVID-19 will be followed. There will be no formal presentation during the public hearings, and no responses to questions will be given. The public will be able to listen live to the hearings via telephone or by watching a livestream at mdta.maryland.gov/ALB270TollSetting. ALL COMMENTS received, whether at the hearing or through other methods, will be given EQUAL CONSIDERATION.

 **Maryland Transportation Authority** If you are unable to access the hearing 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 mttaeeo@mdta.maryland.gov or at 410-537-6720.

Maryland Transportation Authority

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

Toll Rate Range Setting Process – Public Comment Summary Report



Legal Ad #2

Notice for Public Comment - PHASE 1 SOUTH: AMERICAN LEGION BRIDGE I-270 TO I-370 TOLL RATE RANGE SETTING PROCESS PUBLIC HEARINGS

The Maryland Transportation Authority (MDTA) has the responsibility under Maryland law to fix, revise, and set toll rates in accordance with the Transportation Article §4-312 of the Annotated Code of Maryland and Code of Maryland Regulations (COMAR) Title 11 Department of Transportation, Subtitle 07 MDTA, Chapter 05 Public Notice of Toll Schedule Revisions (11 07 05). **As part of the toll rate range setting process for Phase 1 South: American Legion Bridge I-270 to I-370, the MDTA opened the first public comment period on May 20, 2021 to obtain input on the tolling proposal available for review in the Virtual Information Room at mdta.maryland.gov/ALB270TollSetting.**

Public Hearings

Two public hearings will be held by the MDTA to provide opportunities for the public to comment on the proposed toll rate ranges for Phase 1 South: American Legion Bridge I-270 to I-370 for the official record through verbal public or one-on-one testimony, or through written comment. **Public hearing materials should be reviewed prior to attending a public hearing.** For in-person hearings, all CDC guidelines related to COVID-19 will be followed. There will be no formal presentation during the public hearings, and no responses to questions will be given. The public will be able to listen live to the hearings via telephone or by watching a livestream at mdta.maryland.gov/ALB270TollSetting. ALL COMMENTS received, whether at the hearing or through other methods, will be given EQUAL CONSIDERATION.

PRE-REGISTER IN ADVANCE TO ATTEND THE CALL-IN AND IN-PERSON TESTIMONY PUBLIC HEARINGS
 VERBAL PUBLIC TESTIMONY WILL BE LIMITED TO 3 MINUTES FOR THE PUBLIC AND 5 MINUTES FOR ELECTED OFFICIALS

In-Person Testimony Public Hearing - Monday, July 12
Hilton Washington DC/Rockville Hotel & Executive Meeting Center,
1750 Rockville Pike, Rockville, Maryland 20852

The in-person testimony public hearing will have **two sessions from 2 to 4 PM and 6 to 8 PM** and will allow the public an opportunity to provide verbal public and one-on-one testimony. To participate in the in-person testimony public hearing, register online by visiting the webpage at mdta.maryland.gov/ALB270TollSetting or call 888-725-0174. The public can listen live to the in-person testimony hearing by calling 855-701-1977 or listen to the livestream of the hearing by visiting mdta.maryland.gov/ALB270TollSetting. Limited printed copies of the informational boards presented in the Virtual Information Room will be available at the in-person hearing for those that were unable to view the materials on the webpage. The public will also be able to submit a written comment form at the in-person testimony hearing.

Call-In Testimony Public Hearing - Wednesday, July 14

The call-in testimony public hearing will have **two sessions from 2 to 4 PM and 6 to 8 PM** and will allow the public an opportunity to provide verbal public testimony via telephone. To provide verbal public testimony at the call-in hearing, register by visiting the webpage at mdta.maryland.gov/ALB270TollSetting or by calling 888-725-0174. The public can listen live to the call-in testimony by calling 855-701-1977 or watch the livestream of the hearing by visiting mdta.maryland.gov/ALB270TollSetting.

Additional Ways to Provide Comment

In addition to providing testimony at a public hearing, written comments and call-in testimony through voicemail will be accepted for the official record **through Thursday, August 12, 2021 at 5 PM**. Comments may be provided by submitting an electronic comment form at mdta.maryland.gov/ALB270TollSetting, downloading and emailing a completed comment form to ALB270TollSetting@mdta.maryland.gov, printing and mailing a completed comment form to **Phase 1 South: American Legion Bridge I-270 to I-370 Toll Rate Range Public Comment**, Maryland Transportation Authority, 2310 Broening Highway, Baltimore, MD 21224, or providing call-in testimony at 855-701-1977 and leave a single voicemail that is limited to three minutes.

The table below provides proposed toll rate ranges in cost per mile (\$/mile) for all vehicle and payment types associated with use of future High-Occupancy Toll (HOT) lanes within Phase 1 South: American Legion Bridge I-270 to I-370. The vehicle classifications, payment methods and associated multipliers are consistent with existing MDTA facilities. For example, the 3-axle light multiplier is 1.5x the 2-axle rate for the same payment type and the multiplier between Video Tolling (unregistered video) and electronic toll collection (ETC) for the same vehicle classification is 1.5x. Tolls will be collected electronically at highway speeds, using overhead gantries, with no toll plazas or toll booths (cashless tolling). Overhead tolling gantries will be placed within each tolling segment along Phase 1 South: American Legion Bridge I-270 to I-370. The toll rates are determined on a segment-by-segment basis and summed to form a trip. The toll rate per mile may vary within each tolling segment based on traffic conditions, resulting in higher rates in the more congested segments and lower rates in the less congested segments.

PROPOSED TOLL RATE RANGES, SOFT RATE CAPS, DISCOUNTS, AND FREE PASSAGE FOR VEHICLE CLASSIFICATIONS BY PAYMENT TYPE

VEHICLE CLASSIFICATIONS	GENERAL PURPOSE LANES	Payment Type	HOT LANES			HOV 3+ Vanpools Carpools	Buses Motorcycles
			Proposed Toll Rate Ranges (2021 \$/mile) ³				
			Minimum Toll Rate Range ²	Soft Rate Cap	Maximum Toll Rate Range		
Passenger Vehicle (2-axle)	Free	Electronic Toll Collection (ETC) <i>E-ZPass</i>	\$ 0.20	\$ 1.50	\$ 3.76	Free	Free
Motorcycle			\$ 0.10	\$ 0.75	\$ 1.88		
3-axle Light			\$ 0.30	\$ 2.25	\$ 5.64		
3-axle Heavy			\$ 0.40	\$ 3.00	\$ 7.53		
4-axle Light			\$ 0.51	\$ 3.75	\$ 9.41		
4-axle Heavy			\$ 0.61	\$ 4.50	\$ 11.29		
5-axle			\$ 1.21	\$ 9.00	\$ 22.58		
6+ axle			\$ 1.52	\$ 11.25	\$ 28.22		
Passenger Vehicle (2-axle)	Free	Pay-By-Plate (Registered Video) (1.25x ETC)	\$ 0.25	\$ 1.88	\$ 4.70	Free	Free
Motorcycle			\$ 0.13	\$ 0.94	\$ 2.35		
3-axle Light			\$ 0.38	\$ 2.81	\$ 7.05		
3-axle Heavy			\$ 0.50	\$ 3.75	\$ 9.41		
4-axle Light			\$ 0.64	\$ 4.69	\$ 11.76		
4-axle Heavy			\$ 0.76	\$ 5.63	\$ 14.11		
5-axle			\$ 1.51	\$ 11.25	\$ 28.23		
6+ axle			\$ 1.90	\$ 14.06	\$ 35.28		
Passenger Vehicle (2-axle)	Free	Video Tolling ^{1,4} (Unregistered Video) (1.5x ETC)	\$ 0.30	\$ 2.25	\$ 5.64	Free	Free
Motorcycle			\$ 0.15	\$ 1.13	\$ 2.82		
3-axle Light			\$ 0.46	\$ 3.38	\$ 8.47		
3-axle Heavy			\$ 0.61	\$ 4.50	\$ 11.29		
4-axle Light			\$ 0.76	\$ 5.63	\$ 14.11		
4-axle Heavy			\$ 0.91	\$ 6.75	\$ 16.93		
5-axle			\$ 1.82	\$ 13.50	\$ 33.86		
6+ axle			\$ 2.28	\$ 16.88	\$ 42.33		

¹Total unregistered video surcharge (difference between ETC toll and unregistered video toll amount) cannot exceed \$15 per trip. The surcharge is subject to escalation as defined below.

²The minimum trip toll (not per mile) by payment type for all vehicle types would be \$0.50 for customers using E-ZPass[®], \$0.63 for customers using Pay-By-Plate (Registered Video), and \$0.75 for customers using Video Tolling (Unregistered Video).

³Escalation formulas can be found at mdta.maryland.gov/ALB270TollSetting.

⁴Customers can receive an early payment discount of 15% off their toll up to \$5 for unregistered video trips if paid before notice is mailed.

- The **minimum toll rate** is the lowest per-mile toll rate a vehicle may be charged within any tolling segment for the HOT lanes or the lowest total toll that may be charged regardless of how far a vehicle has traveled on the HOT lanes (not per mile). The minimum toll rate ensures short trips on the HOT lanes facility are charged a flat minimum toll to cover the toll capture, processing, and collection costs.
- The **soft rate cap** is the per-mile toll rate that can only be exceeded when at least one of the following thresholds are met within a given tolling segment along the HOT lanes during the preceding 5-minute period: traffic volume exceeds 1,600 passenger car equivalent vehicles per hour per lane (PCEphpl) or the average speed in a tolling segment is below 50 mph. The soft rate cap will always be lower than the maximum toll rate and can be exceeded only temporarily to provide customers who choose to pay a toll, a faster and more reliable trip. Exceeding the soft rate cap would apply to a specific toll segment under certain defined conditions, not a whole trip. The soft rate cap will only be exceeded until the throughput and speed performance targets are achieved, and then the toll rate will gradually return to the soft cap or below. Although not standard practice in the tolling industry, the MDTA is choosing to be one of only two states in the United States to set a soft rate cap to constrain the toll rate as a protective measure for customers.
- The **maximum toll rate** is the highest per-mile toll rate that may be charged within any tolling segment for the HOT lanes. **Under no circumstance will the maximum toll rate be exceeded.** In extremely rare circumstances when traffic demand is very high within a given tolling segment (e.g., severe crashes or extreme weather events), the toll rate may reach the maximum toll rate. The toll rate is determined on a segment-by-segment basis. The probability is highest on the northbound portion of Phase 1 South, just north of the American Legion Bridge.
- Escalation** - The approved toll rate ranges are intended for the duration of the Phase 1 South: American Legion Bridge I-270 to I-370 agreement (anticipated to be 50 years). For the toll rates to effectively manage demand and ensure reliability for users of the HOT lanes into the future, the maximum per mile rates, soft rate caps, and unregistered video surcharge rates will escalate over time to account for inflation, population employment, and income growth. The minimum per mile toll rate ranges and the minimum-trip tolls are both subject to escalation for inflation only.



Maryland Transportation Authority

If you are unable to access the hearing 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 mdtaaccess@mdta.maryland.gov or at 410-537-6720 at least ten days prior to the first hearing.

Appendix F – Comment Excerpts by Topic

There were a number of cases where the commentor provided specific recommendations either about the toll proposal or the overall project in general. Since the comments are instructive in the decision-making process, we extracted them into this appendix to make it easier for the Board Members to review. Below, they are broken down by topic area.

- Transurban / P3
 - “Transurban wants to make the tolls even higher according to a letter they sent to MDTA on November 18, last year.”
 - “Transurban is on record saying its goal in our region is to “maximize the tolls” and admitted that: “An increase in the number or improvement in quality of alternative roads, public transportation or mass transit options, ... and their relative convenience, affordability and efficiency, could reduce traffic volumes on our toll roads and therefore reduce our earnings.” Thus, improvements that would be good for and desired by Marylanders and sensible in the midst of a climate crisis are undesirable for Transurban and shareholders. This toll lane proposal sets up a perverse incentive for a private company and our own government to lock in car-dependency and act against the public interest for generations.”
 - “The October 20, 2020 preliminary due diligence document, states on page 3. “The rate can be set to maximize throughput or reckoned and in order to achieve the P3 program goal, the rate must be set to maximize revenues.” What are the actual P3 program goals? And how does maximizing revenue serve the public interest?”
 - “All free lanes will not remain free. I say this to highlight that the plan for the toll road is to create congestion in the free lanes to force desperate people onto the toll lanes. Transurban, the Australian company MDOT selected for this project, needs congestion to make money.”
 - “Although public payments are made through MDTA, which is a subsidiary of MDOT, pre-agreement contract guarantees a profit margin for the private partner. This has the effect of the State of Maryland enforcing a conditional burden on Maryland residents to the benefit of a non-elected partner in the governing body.”
 - “These exceedingly high toll rates and escalations now under discussion will not satisfy Transurban. (A November 18, 2020 letter from Transurban-led Accelerate Maryland Partners to MDTA’s Deb Sharpless requests various revenue-increasing alterations to the numbers and escalations for the toll lanes.)”
 - “Consideration should be in place to have a different company manage the toll process after the contract is up.”
 - “The Accelerate Maryland Partners memo (11/18/2020) raises questions about the whole tolling scheme. Further, the Office of the State Treasurer produced a July 9, 2021 report that raised serious questions about the whole P3 financing scheme.

Since the toll model (including escalation) is an integral part of the financial scheme, I prefer that the issues the Treasurer raised get examined before discussing annual toll escalations.”

- Excess Toll Revenue
 - “FAQ item 32 about excess toll revenues. It mentions the equity internal rate of return and profit margins. But these figures are not available to the public nor is sharing of excess revenues if any described. Does Maryland receive any of the excess revenue?”
- Notification / Education of Dynamic Tolls
 - “Clearly establish in advance how the price for a trip would be set so there can be a good idea of the cost before they enter the toll lanes, how toll rates will change over the course of a day, and how users will be informed.”
 - “Toll rate signs need to be positioned as to allow legibility and safe maneuvering to or from tolled lanes.”
 - “MDTA and operator should provide very clear customer communications and offer virtual and live tutorials on use of the facilities.”
 - “Consider a grace period and expanded communications for the early days of the program for first-time customers.”
- Toll Calculations
 - “FAQ Item 25, when a commuter could expect to pay, it says, "The toll rate could be as low as \$2.40 for the 12 miles." But where is the expected total toll for an end-to-end trip during a typical rush hour?”
 - “In the Virtual Information Room packet on page 30, there is small print that says "Toll rates are for illustrative purposes only." And "Actual toll rates will be set in the future by the Phase 1 South Section developer." How does this support an informed decision?”
- Minimum and Maximum Tolls
 - “Proposed minimum tolls should be adequate to support the required local transit payments to the Counties in which the toll facilities are located.”
 - “The minimum toll rates appear to be excessively high in comparison to current tolls on other regional facilities. The minimum toll for the I-495/I-270 Managed Lanes of \$0.20/mile is nearly identical to the current *peak* toll on MD 200 (\$0.22/mile). Similarly, the I-95 Express Toll Lanes north of Baltimore have *maximum* tolls of roughly \$0.20/mile. The Dulles Toll Road, where tolls have been set to fund the Metro Silver Line, has a toll of \$0.23/mile. The *maximum* rates on these other regional facilities are comparable to the *minimums* proposed for I-495/I-270. Based on this comparison, it appears that the minimum proposed toll should be sufficient to cover the cost of the project and might be more appropriate as the average toll rate.”

- “Setting max and min rates might limit officials' ability to effectively respond to changes in traffic patterns--especially if those changes are unpredicted. If max/min must be announced, make sure they define a very wide range (3-4? Std. Dev.?)”
- “The max toll should be no more than \$5 for a full length trip.”
- Rate Caps
 - “Maryland is one of only a couple of states with rate caps on their variable price tolling systems. These statutory exceptions are essential protections for consumers.”
 - “At the level of the soft rate cap, the charge to use the Phase 1 South facilities could be very substantial – ranging between \$18 and \$27 per one-way trip. This is likely to be prohibitively expensive for most regular travelers.”
 - “The minimum rate caps appear to be justified and within national practiced rates.”
 - “The soft rate cap of almost 8 times the minimum needs to be re-examined. What is the justification for this rate other than this is what other jurisdictions charge.”
 - “If there were to be tolls, why is there not an option to support a hard rate cap?”
 - “I would suggest a hard cap of \$10.”
 - "Although not standard practice in the tolling industry..." That is already a bad sign. If we implement this cap based on the two conditions listed, 1,600 PCEphpl or < 50 MPH, will it in any way negatively impact the utilization of this lane? Our objective is to get cars moving, so let's evaluate soft rate cap in that context.”
 - “There should be more information presented regarding specifics of the rate caps as well as what ranges are being discussed. There are so many models (VMT, zonal, etc.) and so much haze regarding this plan.”
 - “The demand factors penalize drivers when traffic recovers. Assume that a bad accident closes the HOT lines for some time, and then the accident is completely cleared. Assume the case of passenger vehicle with soft rate cap of \$1.50 and maximum rate of \$3.76. Assume the demand factors of 1.25 and 0.9 are triggered by the increased congestion and then the later free flow of traffic. Time of increase: At maximum demand factor increase of 1.25, the rate cap would exceed the maximum rate in the fifth five-minute interval (\$3.66 after 20 minutes, \$4.58 capped at \$3.76 during the next five-minute period). Time of decrease: At the recovery factor of 0.90, the rate cap declines to the minimum rate in the ninth five-minute interval (\$1.62 after 40 minutes, \$1.46 capped at \$1.50 in the next five-minute period). It takes approximately twice as long for the cap to decline as it does to rise.”
- Escalation

- “Annual escalations account for increased operator costs and other factors unrelated to inflation. In the materials, it is unclear what the structure of this process would be, nor is it clear why the listed factors, such as regional population, would justify escalation in toll rates.”
- “Perhaps the tolls should be limited to escalation steps from the minimum based on specific operating conditions that are clear and transparent to the MDTA facility and customers, especially given the very high proposed minimum tolls and the very wide allowable toll range.”
- “The MDTA should play a key role in balancing the rate setting with the protection of the cost to the user of the toll lanes during the 50-year duration of the contract. MDTA should have final authority on the rate each year based on the input from the developer.”
- “As for growth in demand, it seems that these factors are based on population/income in general but not actually tied to more demand for the HOT lanes. I think that the private partner should have to present actual evidence that demand has increased for the HOT lanes or that its costs have gone up.”
- “Should be tied to rate of inflation. However most people don’t get inflation adjusted income so increases should always be less than inflation rate.”
- “The user’s escalation factor is unclear and no escalation cap established; a maximum cap is recommended to be set at 2% per year.”
- Discounts
 - “It is my understanding that MDTA Bond Agreement does not allow discounts for occupancy. How are you offering free passage for HOV3+?”
 - “MDTA should set a zero-toll or minimum-only toll for official State and Local Government Vehicles (highway maintenance, public service, public safety, etc.)”
 - “Discounts should also apply for zero emission vehicles.”
 - “Commuter rate needs to be considered, as done for bay bridge and tunnel commuters.”
 - “MDTA should consider a program for means-based toll discounts to improve the equity of this tolling program. Similar programs are under study for transit fares around the Washington Metro area.”
 - “Most people do not have three people in a car when they travel. At least change it to two to help people travel.”
- Tolls – General
 - “Clearer boundaries defining the setting of tolls by the operator within the allowed ranges should be established and published.”
 - “To increase access and improve utilization of the proposed facilities and to reduce the inequity of this approach, perhaps the toll rate could be indexed to

achieve a minimum speed differential rather than a fixed minimum speed. Perhaps a table of priced managed lane speeds corresponding to general purpose lane speeds could be established (e.g. 55/55, 55/45, 50/40, 45/35, 40/30, 35/<30) with tolls set to maintain the speed differential.”

- “The user rates should be set for the year that the facility opens.”
- “MDTA could have provided more honest toll numbers by adding in the automatic annual increase of 2.1%, plus an adjustment for inflation. I used the Federal Reserve's inflation forecast. If you add these to the 2021 maximum toll of \$3.76, you will discover that the maximum toll when the lanes open up in 2026 would be closer to \$4.61. Instead of a soft cap of \$1.50, the cap -- the soft cap would be \$1.84. In 2026, the maximum toll for the drive from George Washington Parkway to I-370 would be \$50.00 in the 2021 dollars, but would be over \$61.00 in 2026. Transurban...is pushing for a soft cap that is 33% higher.”
- “The 1600 passenger car equivalent miles is ridiculously low. By modern engineering standards (HCM) the CLV on a high speed straight one way limited access highway is over 2200pcu.”
- “Trucks should all be assessed the same minimum rate during non-peak times especially at night. They also should be extremely discouraged from running during peak times as heavy trucks by their operational limitations can quickly congest traffic.”
- “Motorcycles and trucks should not be eligible to use these lanes.”
- “Motorcycle drivers should also pay equitable tolls to use tolled roads as other motorists.”
- “How will your toll system verify occupancy? How does your toll system differentiate between a 3 axle bus and 3 axle truck?”
- “Provisions should be made that a final construction cost is less than whatever estimates was used, and all three initial 3 rates should be adjusted.”
- Additional Studies and Information
 - “A value for money analysis was promised in 2019 but never performed. The analysis was supposed to compare the project costs of public versus private financing.”
 - “The March 12, 2021 preliminary due diligence report on pages 9, 10, and 11 mentions in small print the Capital Beltway Accord, but no version of this document has ever been made available to the public.”
- Other
 - “The Value of Time Study is flawed. The details of the sample used for the VOT study are found in the August 9, 2019 survey and the November 4, 2019 study. “At the sample mean income, the mean VOT was \$23.62 for work trips and

- \$20.55 for nonwork trips, and the median VOT was \$19.68 for work trips and \$16.75 for nonwork trips.”
- “Raise the speed limit! Most mid-western states long ago realized that by progressively raising the speed limit as you leave congested areas you prevent the traffic jams. Try higher speed limits, or speed limits by lane. Leverage new car technologies that auto-pace, and auto break in high speed lanes.”
 - Payment Types
 - “The MDTA should consider applying a fixed charge (per trip/per mile/per segment) for processing non-E-ZPass transactions rather than a multiplier on the toll.”
 - “The surcharges for paying by plate and by unregistered video tolling is 25% and 50% respectively. This appears to be extraordinarily high for an automated process. The charges need to be limited to the electronic toll rate plus the additional administrative costs. Being debited automatically on a registered credit card at most has as a 3% additional credit card usage fee plus the additional in house costs most of which is already covered within the prerequisite video charges encompassed within the base electronic toll rate. At most the additional charges for paying by plate should probably be no more than 5%. Documentation needs to be provided for justifying a 25% penalty cost. Likewise a 50% penalty cost for unregistered video tolling also seems excessive as this is also an automated process with marginal administrative costs perhaps the largest being the mailing costs.”
 - Managed Lanes Study – Recommended Preferred Alternative & Tolls
 - “The proposal removes a lane that is currently free 21 hours a day on weekdays and free weekends and holidays, and turns it into a hot lane which is a minimum of three people and tolled 24/7; three people, 24/7, weekends and holidays this congestion relief plan brought to you by the former Secretary of Transportation as a panacea for an agency long deficient in forward-thinking solutions ignores the real bottleneck on I-270, which is where the current six lanes go to two going north, and increases from two lanes to six going south.”
 - “The design of the toll lanes make it difficult to leave the toll lanes and transition directly to the general lanes. Under MDOT's design, if you're on a toll lane when you cross the American Legion Bridge and plan to drive all the way to I-370, you can transition directly to the general lanes only, only at Clara Barton Parkway. For the rest of the trip up to I-370, the only way to exit the toll lanes is to exit the highway altogether, drive on local roads until you get to the next entrance ramp for the general lanes.”
 - “Restrictions should be considered on how large of a toll change there can be over a defined interval. Large sudden changes in the rates might cause erratic user

behavior between signs showing toll rates and entry/exit points and may result in undesirable switching from toll to free lanes via local roads and interchanges.”

- “With congestion building at the split, it is very possible that the no-build peak travel times for roundtrips involving 270, such as between I-370 and River Road, or the Clara Barton exit, or Virginia, could be faster than the non-toll lanes of the toll road where 85 to 90% of the drivers travel, and even for the toll lanes themselves.”
- “This plan removes the two inside lanes, which are general lanes for all but 15 hours a week. They are free lanes 91% of the time. But they won't be free at all of this toll road is built. They will be tolled or HOV 3 24 hours a day, every day of the year.”
- “All free lanes will not remain free.”
- “What is needed is HOV 24/7 in left lanes.”
- “How about having one of those lanes dedicated to 3/4/5 and 6 axel vehicles? The tractor/trailers REALLY slow things down, especially (northbound) big curve approaching the River Road exit.”
- Toll Late Fees
 - “The toll lanes themselves are not the only cost to motorists. On a road like the ICC, it's very easy to rack up thousands of dollars in toll debt in a very short amount of time. The toll debt is comprised mostly of the late fees, not the underlying tolls. If you have a Maryland E-ZPass, you can still be subjected to the video tolls at the higher rate, and hundreds or thousands of dollars in late fees if a hiccup happens with the associated credit card or bank account, and the video tolling system relies on the US Mail, which has become slower and more problematic since the program's inception.”
 - “The MDTA did reduce the late fee from 50 to \$25.00; however, a \$25.00 late fee on \$1.50 or \$3.00 toll is still too high, and we still have an unfortunate policy of suspending vehicle registrations for toll debt.”
 - “Another pro-consumer policy that Maryland could and should adopt in Massachusetts is to allow three years to dispute a toll transaction instead of 120 days.”