

National Capital Region Transportation Planning Board

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August 28, 2006

Mr. Tyler Duvall
Assistant Secretary for Transportation Policy
U.S. Department of Transportation
400 7th Street, SW
Washington, DC 20590

Dear Assistant Secretary Duvall:

On behalf of the National Capital Regional Transportation Planning Board (TPB), the metropolitan planning organization (MPO) for the Washington region, we request that you clarify US DOT policy to include all variably-priced lanes that provide for unimpeded transit service as "fixed guideway" miles in the transit funding formula administered by the Federal Transit Administration (FTA). This will ensure that federal transit funding for congested urban areas is not decreased in a situation where existing High-Occupancy Vehicle (HOV) facilities are converted to variably-priced lanes, and that federal transit funding is increased in situations where new variably-priced facilities that provide for unimpeded transit are implemented.

The metropolitan Washington region continues to face significant transportation funding shortages and severe congestion. Variably-priced lanes can provide an alternative source of funding as well as an effective long-term congestion management tool. For these reasons, TPB member jurisdictions are seriously considering applying variable pricing to both new and existing roadways. The region's current long-range transportation plan includes four new HOT lanes along 15 miles of the Capital Beltway in Virginia, and six new variably priced lanes along 18 miles on the Inter-County Connector in Montgomery and Prince George's Counties in Maryland. Virginia is also exploring the possibility of converting existing HOV lanes along the I-95/395 corridor into HOT lanes. Maryland is considering express toll lanes along I-495, I-95 and I-270, as well as along other facilities.

In a 2002 letter on policy concerning the I-15 FasTrak facility in San Diego, FTA stated

"... FTA will recognize, for formula allocation purposes, exclusive fixed guideway transit facilities that permit toll-paying SOVs on an incidental basis (often called high occupancy/toll (HOT) lanes) under the following conditions: the facility must be able to control SOV use so that it does not impede the free flow and high speed of transit and HOV vehicles, and the toll revenues collected must be used for mass transit purposes."

FTA recognizes in this policy that both existing HOV lanes converted to variably-priced lanes and new variably-priced lanes can provide for unimpeded transit service, as required for inclusion as "fixed guideway" miles in the federal formula. However, FTA's condition that toll revenues on variably-priced facilities must be used for mass transit purposes represents a serious limitation, because there will be situations where toll revenues need to be used for other purposes.

In a policy document entitled "Goals for a Regional System of Variably-Priced Lanes" which the TPB adopted in April, 2005 the use of toll revenues is addressed as follows:

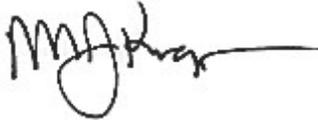
"Toll revenues from variably-priced lane projects may finance construction, service debt, and pay for operation and maintenance of the priced lanes. Should

toll lanes operate at a revenue surplus, consideration should be given to enhancing transit services.”

In this region, existing exclusive HOV lanes which can be used by transit, carpool and vanpool vehicles have been classified by FTA as “fixed guideway” miles because they provide for unimpeded transit service. It is only logical that all variably-priced lanes which provide for unimpeded transit service, regardless of how the toll revenues are used, should be classified as “fixed guideway” miles and be included in the federal transit funding formula.

Therefore, we urge you to adopt an explicit policy stating that all variably-priced lanes which provide for unimpeded transit service may be included as “fixed guideway” miles in the federal transit funding formula. Thank you for considering the TPB’s views on this matter.

Sincerely,



Michael Knapp
Chair
National Capital Region
Transportation Planning Board (TPB)



Carol Petzold
Chair
TPB Value Pricing Task Force

cc: Regional Congressional Delegation
Thomas McNamara and Jeff Shane, U.S. DOT, Office of the Secretary
Patrick DeCorla-Souza, U.S. DOT, Federal Highway Administration
Sandra Bushue and David Horner, U.S. DOT, Federal Transit Administration