

SR 37 TOLLING LEGISLATION UPDATE



**Presentation to State Route 37 Policy Committee
January 6, 2022
Rebecca Long, MTC**

SR 37 TOLLING AUTHORITY CONSIDERATIONS

- Legislation will need to identify the agency to operate a tolling facility on SR 37
- The tolling agency should be created by state law and state law will need to establish key parameters for the tolling program.
- To avoid further fracturing of tolling policies in the region, the law could stipulate that BAIFA will act as the new SR 37 tolling agency.
- BAIFA was created as a JPA of MTC and BATA in 2006 to finance the State contribution to the toll bridge seismic program and other projects – a financing arm for MTC.

Original BAIFA Membership

1. MTC Chair
2. MTC Vice Chair
3. BATA Oversight Chair
4. BATA Oversight Vice Chair
5. Programming and Allocations Chair
6. Programming and Allocations Vice Chair

BAIFA TOMORROW: SAME BOARD AS MTC, WITH A NEW TOLLING COMMITTEE

- BAIFA board coterminous with MTC to enable regional transportation financing
- Tolling Committee provides in-depth review/recommendations to the full board on all matters related to BAIFA express lanes and SR 37, similar to BATA Oversight Committee

	Full Board (21 members; 18 voting)	Tolling Committee (9 members; 8 voting)
Membership	Same as MTC	BATA Oversight Chair Operations Chair Express Lane County commissioners: ALA, CC, SOL* SR 37 County commissioners: MRN, SON, NAP Cal STA (non-voting) * Represents SOL for both express lanes and SR-37
Authority	Issue transportation financing Issue express lanes and SR-37 financing Approve policy, technical and recommendations for express lanes and SR-37 (forwarded by committee)	Provide policy and technical recommendations on <ul style="list-style-type: none"> - Toll policy (rates, equity, HOV requirements, discounts) - Toll ordinance (violations) - Operating, capital and rehab budgets - Net revenue policy and expenditures - Grants and financing Approve contracts and agreements

HOW FUNDING OPPORTUNITIES ARE ADDRESSED

OPPORTUNITIES

1. Create a regional body for conduit transportation financing that protects each program
2. Regional tolling landscape is increasingly complex while seamlessness is more essential than ever
3. Manage the number of boards and committees to reduce administrative demands on board members and staff



BAIFA PROPOSAL

1. Facilitates financing for projects throughout the region because the board is coterminous with MTC. Programs are protected by statute and bond covenants
2. Builds on BAIFA's tolling knowledge and track record. Committee and board have good understanding of BATA, express lanes and SR-37 tolling context and can facilitate seamlessness, including consideration of broader roadway pricing called for in Plan Bay Area 2050
3. With one new committee, the additional meeting demands on board and staff is contained

PROGRAM FUNDING UNDER BAIFA PURVIEW WOULD BE PROTECTED

- Express lane statute restricts use of revenue to each facility/corridor
- SR 37 legislation would similarly restrict use of SR 37 toll facility revenue
- Transit financing for BART cars from federal transit funds cannot be used for express lanes or SR 37
- Bottom Line: Revenue from one program cannot be used as a backstop for another program



FUTURE POTENTIAL TO ADD EXPRESS LANE CORRIDORS

- Proposal with comprehensive regional representation facilitates addition of corridors to BAIFA if willing parties reach agreement in the future
- BAIFA board could readily adjust Tolling Committee membership
- Promotes seamless customer experience and operational efficiency
- Counties in each corridor would approve use of net revenue



Regional Express Lane Network
in Play Bay Area 2050

SCHEDULE

Date	Action
Early 2022	<p>Contingent on MTC approval, Executive Director notifies Senator Dodd MTC supports listing BAIFA as SR 37 tolling agency in legislation</p> <p>Dodd to introduce SR 37 legislation</p> <p>BATA and MTC amend the BAIFA Joint Powers Agreement; BAIFA establishes committee structure (SR 37 elements activated once bill is enacted)</p>
Spring 2022	<p>BAIFA amendment to toll ordinance for Means Based Pilot and reduced violation penalties (timing to be confirmed)</p> <p>BAIFA approval of BART car financing (timing to be confirmed)</p>
Summer 2022	<p>BART needs financing proceeds</p>
October 2022	<p>Deadline for governor's signature on new legislation</p> <p>If SR 37 legislation enacted, activate BAIFA SR 37 responsibilities</p>