

RESOLUTION NO. 22-022

**RESOLUTION OF THE
RIVERSIDE COUNTY TRANSPORTATION COMMISSION
ADOPTING
THE RCTC 91 EXPRESS LANES
TOLL POLICY AND TOLL SCHEDULE**

WHEREAS, the Riverside County Transportation Commission (the “Commission”) has been, in accordance with its legislative and regulatory authority, operating two tolled Express Lanes in Riverside County located between the Orange County Line and Interstate 15 (“RCTC 91 Express Lanes”);

WHEREAS, the Commission adopted its original RCTC 91 Express Lanes Toll Policy on June 7, 2012 (“Original Policy”);

WHEREAS, the Commission adopted an Amended and Restated RCTC 91 Express Lanes Toll Policy on October 10, 2018 (“Amended Policy”);

WHEREAS, the Commission retains the authority to add, delete, or otherwise modify its policies and procedures;

WHEREAS, the Commission is constructing a new connection from the eastbound 91 Express Lanes to the northbound 15 Express Lanes and from the southbound 15 Express Lanes to the westbound 91 Express Lanes (“15/91 Express Lanes Connector”);

WHEREAS, the Commission desires, as of the date the 15/91 Express Lanes Connector opens for use by the traveling public, to replace and supersede, in its entirety, the Amended Policy with the RCTC 91 Express Lanes Toll Policy and Toll Schedule attached to this Resolution as Exhibit A and incorporated herein by reference;

WHEREAS, the Commission desires that the changes to the discount policy included in RCTC 91 Express Lanes Toll Policy and Toll Schedule take effect as of January 1, 2023, earlier than the remainder of the new toll policy and toll schedule.

WHEREAS, the intent of the attached RCTC 91 Express Lanes Toll Policy and Toll Schedule is to address higher than expected traffic demand, traffic management in the single-lane portions of the facility, realized express lane capacity, annual toll rate inflation

adjustments, changes to the toll discount policy, and to implement Dynamic Pricing as defined in attached Exhibit A;

WHEREAS, the Commission provided notice of a public hearing, to be held January 11, 2023, regarding adoption of this Resolution in a newspaper of general circulation in accordance with Government Code section 6062a.

NOW, THEREFORE, be it resolved by the Riverside County Transportation Commission as follows:

Section 1. The Riverside County Transportation Commission hereby adopts the RCTC 91 Express Lanes Toll Policy and Toll Schedule attached as Exhibit A which, as of the date the 15/91 Express Lanes Connector opens for use by the traveling public, shall take effect and shall replace and supersede, in its entirety, the Amended Policy. The details of the RCTC 91 Express Lanes Toll Policy and Toll Schedule have been approved by the Commission, following a public hearing, during its actions on January 11, 2023 and shall be communicated to the financial community, toll facility users, and the general public.

Section 2. Notwithstanding Section 1 above, the portion of the attached RCTC 91 Express Lanes Toll Policy and Toll Schedule titled “Discounts” shall take effect on January 1, 2023 and, as of said date, shall amend and replace the provisions of the Amended Policy related to discounts.

APPROVED AND ADOPTED this January 11, 2023.

[Signatures on following page]

**SIGNATURE PAGE
TO
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Robert E. Magee, Chair
Riverside County Transportation Commission

ATTEST:

Lisa Mobley
Clerk of the Board

EXHIBIT A

RCTC 91 EXPRESS LANES TOLL POLICY AND TOLL SCHEDULE

[attached behind this page]

EXHIBIT A

RCTC 91 Express Lanes Toll Policy and Toll Schedule

Goals

The goals of the RCTC 91 Express Lanes Toll Policy and Toll Schedule are to:

- Provide a safe, reliable, and predictable commute for 91 Express Lanes customers;
- Optimize vehicle throughput at free flow speeds;
- Pay debt service and maintain debt service coverage;
- Increase average vehicle occupancy;
- Balance capacity and demand to serve customers who pay tolls as well as carpoolers with three or more persons who are offered discounted tolls;
- Generate sufficient revenue to sustain the financial viability of the RCTC 91 Express Lanes;
- Ensure all covenants in the Financing Documents are met; and
- Provide net revenues for State Route 91 corridor improvements.

Definitions

Abnormal Traffic – when traffic volumes vary from those of a prior period due to a holiday, incident, construction, or other atypical occurrence.

Dynamic Pricing – The setting of a toll in real-time based on level of traffic congestion and other factors.

Emergency – A national, state, or local declared state of emergency or other emergency situation that impacts toll operations.

Inflation Factor – The U.S. Bureau of Labor Statistics Consumer Price Index adjuster for the region from January to December of the previous calendar year that will be applied annually to the Minimum Toll Rate.

Minimum Toll Rate – The lowest toll per trip that the Pricing Algorithm can assign.

Pricing Algorithm – The methodology by which tolls are set that aims to manage demand for the express lanes by adjusting tolls using real-time and historic traffic data.

Trip – A unique combination of entry and exit points on the 91 Express Lanes.

Trip Minimum Toll Rate – Established by multiplying the Minimum Toll Rate per mile by the number of miles for each trip and rounded up to the nearest \$.05.

Dynamic Pricing Principles and Parameters

1. The 91 Express Lanes will use Dynamic Pricing to set toll rates to optimize vehicle throughput at free flow speeds consistent with the goals in this RCTC 91 Express Lanes Toll Policy and Toll Schedule.
2. A Pricing Algorithm which considers traffic volume, density, travel speed, travel time, flow of traffic, and historical traffic patterns will be used to determine the toll rate.
3. The Pricing Algorithm will establish a toll rate for each 91 Express Lanes Trip.
4. The toll rate will change as frequently as needed to maintain desired traffic conditions, but not more frequently than every three minutes; and
5. The toll rate could change in increments up to \$3.00 per Trip.

Minimum Toll Rates

Minimum Toll Rates were initially established based on the rate assumed in the traffic and revenue study used to finance the 91 Express Lanes Project. The Minimum Toll Rates have been adjusted by the inflation factor each year on July 1. The Minimum Toll Rates will be adjusted annually, effective each July 1, by the Inflation Factor and rounded to the nearest 5 cents. The Minimum Toll Rates in Figure 1 will be adjusted by the Inflation Factor on July 1, 2023. When a toll rate is in effect it shall never be less than the Minimum Toll Rate.

Figure 1 Minimum Toll Rate Schedule (effective July 1, 2022)

Westbound		Eastbound	
McKinley St. To County Line	\$1.75	County Line to McKinley St.	\$1.95
No. I-15 Magnolia to County Line	\$2.00	County Line to So. I-15 at Magnolia	\$2.20
So. 15 Express Lane at 2 nd Street to County Line	\$2.80	County Line to No. 15 Express Lane at Second Street	\$2.85

Toll Rates

Toll rates will be determined in real-time based on the level of traffic congestion and other factors consistent with Dynamic Pricing. There is no maximum toll rate. The goals of this RCTC 91 Express Lanes Toll Policy and Toll Schedule are to optimize person throughput in the corridor while meeting debt obligations. This balances throughput and revenue thereby providing the

flexibility to better match lane supply with user demand. This flexibility in the maximum toll rate also supports the creditworthiness of the 91 Express Lanes and ensures the Commission's ability to meet its operating and debt obligations.

Displaying Toll Rates

1. Toll rates will be posted on overhead signs in advance of each 91 Express Lanes entrance.
2. Each toll rate sign will include toll rates to the posted destination.
3. The customer will be charged the toll posted at the time they passed the toll rate sign.
4. Should the toll rate sign not be able to display tolls for any reason then the historical rate for the same time period will be posted.

Abnormal Traffic Conditions or Emergencies and Suspension of Tolling

A temporary toll schedule may be implemented, which may include the suspension of tolling, during Abnormal Traffic or Emergencies.

Discounts

The following vehicles, which have a valid FasTrak account, will travel for free in the 91 Express Lanes except for Monday through Fridays between 4:00 p.m. and 6:00 p.m. in the eastbound direction when they will pay 50% of the toll:

- 1) Vehicles with three or more persons (HOV3+) when using the dedicated 3+ lane;
- 2) Zero emission vehicles (ZEVs) that are registered to a 91 Express Lanes account and have provided a valid certification from the Department of Motor Vehicles;
- 3) Vehicles with disabled plates that are registered to a 91 Express Lanes account and have provided the Department of Motor Vehicles registration indicating that the vehicle is registered with a disabled plate

Notwithstanding (3) above, vehicles registered to a disabled veteran or other veteran statuses as included in Assembly Bill 2949, who have provided proof of such by submitting their Department of Motor Vehicles registration to the agency that holds their FasTrak account, will travel for free in the 91 Express Lanes. The list of qualifying veteran statuses includes the following:

- Disabled veteran
- Pearl Harbor survivor
- Former Prisoner of War
- Congressional Medal of Honor
- Purple Heart Recipient
- Army Medal of Honor, Navy Medal of Honor, Air Force Medal of Honor, Army Distinguished Service Cross, Navy Cross, or Air Force Cross

Financing Requirements

RCTC shall charge and collect tolls that generate enough revenue to maintain the debt service coverage ratios as required in the financing documents and to operate and maintain the RCTC 91 Express Lanes in a safe condition in accordance with all applicable laws and regulations.