

**Resolution – HPTE #328**

**Rescinding and Restoring Previously Approved Toll Schedules for the I-25 North Express Lanes: Segment 2**

**WHEREAS**, pursuant to Section 43-4-806, *et seq.*, C.R.S., the General Assembly of the State of Colorado created the Colorado High Performance Transportation Enterprise (“HPTE”) as a government-owned business within the Colorado Department of Transportation (“CDOT”) to pursue innovative means of more efficiently financing important surface transportation projects that will improve the safety, capacity, and accessibility of the surface transportation system; and

**WHEREAS**, pursuant to Section 43-4-806(2)(c)(I), C.R.S., the HPTE Board of Directors (the “Board”) has the authority to establish user fees for the privilege of using surface transportation infrastructure; and

**WHEREAS**, HPTE, in partnership with CDOT, completed construction and commenced tolling operations in July 2016 on the I-25 North Express Lanes (Segment 2) (“Segment 2 Express Lanes”), consisting of one tolled express lane in each direction between approximately US 36 and the Wagon Road Park-n-Ride at 120<sup>th</sup> Avenue; and

**WHEREAS**, HPTE has an annual toll rate adjustment process where Express Lane rate adjustments are considered, based on traffic demand management, costs of operations and maintenance, inflation, and HPTE’s Tolling Policy; and

**WHEREAS**, at its March 18, 2020 meeting (*Resolution #324*), the Board conditionally approved Segment 2 Express Lanes user fee rates consistent with information available at the time, including a projected increase in traffic volume and an increase in operations and maintenance costs; and

**WHEREAS**, those approved Segment 2 Express Lanes user fee rates were to be implemented by June 2020; and

**WHEREAS**, due to the COVID-19 global pandemic that has caused a decrease in traffic and an overall reduction in operations and maintenance costs, the previously approved Segment 2 Express Lanes user fee rates approved by the Board at its March 18, 2020 meeting are hereby rescinded; and

**WHEREAS**, the Segment 2 Express Lanes user fee rates in place prior to its March 18, 2020 Board meeting are hereby restored, which are more accurately described in *Resolution #266*, approved at the Board’s June 20, 2018 meeting.

**NOW THEREFORE BE IT RESOLVED**, the Board hereby rescinds those user fee rates set forth in *Resolution #324* and hereby restores the user fee rates for the I-25 North Express Lanes (Segment 2) set forth in *Resolution #266*, attached as **Exhibit A** for reference.

Signed as of May 20, 2020

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Simon Logan  
Secretary, HPTE Board of Directors

