

Resolution – HPTE #370

Approving Minimum and Maximum Toll Rates for the Westbound I-70 Mountain Express Lanes

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, such innovative means of financing projects include, but are not limited to, public-private partnerships, operating concession agreements, user fee-based project financing, and availability payment and design-build contracting; and

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

WHEREAS, pursuant to Section 43-4-808(3)(b), C.R.S., HPTE may incorporate congestion management and congestion pricing into its schedule of user fees; and

WHEREAS, HPTE, in partnership with CDOT, is currently undertaking the Westbound I-70 Mountain Express Lane Project in the I-70 Mountain Corridor, near Idaho Springs, within CDOT’s existing right-of-way (the “Project”); and

WHEREAS, the Project consists, in part, of widening an existing shoulder, which will be operated as a tolled express lane during peak travel periods, in order to improve travel times to provide travelers with a choice of a new travel lane, and manage congestion in the I-70 Mountain Corridor; and

WHEREAS, the Project’s express lane opened on July 30, 2021, with tolls waived because of toll equipment testing, and toll collection is expected to commence in early 2022; and

WHEREAS, in analyzing initial appropriate toll rates for the Project’s express lanes, the Board desires to permit a high level of flexibility to adjust user fee rates to most effectively manage congestion based on time of day and real-time conditions; and

WHEREAS, the Board has reviewed minimum and maximum toll rates proposed for both transponder use and license plate tolling (“LPT”) for the Project, that will be instituted depending on the time of day, and the range between the minimum and maximum, attached hereto and incorporated herein as **Exhibit A** (the “Transponder and LPT Toll Rates”), and based on the information presently available, considers the Transponder and LPT Toll Rates to be reasonable and appropriate.

NOW THEREFORE BE IT RESOLVED, the Board of the HPTE hereby approves and adopts the propose user fee rates for the Westbound I-70 Mountain Express Lane Project set forth in the Transponder and LPT Toll Rates attached to this Resolution, and authorizes HPTE staff and consultants to adjust user fee rates on the Project upward from the minimum rate provided in the Transponder and LPT Toll Rates as reasonably necessary to manage congestion based on real-time conditions in the I-70 Mountain Corridor, up to and including the maximum, while ensuring reliable travel times for toll-paying customers.

Signed as of November 17, 2021

Simon Logan
Secretary, HPTE Board of Directors

Exhibit A to HPTE Resolution #370

Table 1: ExpressToll Transponder and LPT Toll Rates

ExpressToll Transponder Rate	Calculated LPT Rate
\$7.00	\$13.08
\$8.00	\$14.67
\$9.00	\$16.25
\$10.00	\$17.83
\$11.00	\$19.42
\$12.00	\$21.00
\$13.00	\$22.58
\$14.00	\$24.17
\$15.00	\$25.75
\$16.00	\$27.33
\$17.00	\$28.92
\$18.00	\$30.50
\$19.00	\$32.08
\$20.00	\$33.67
\$21.00	\$35.25
\$22.00	\$36.83
\$23.00	\$38.42
\$24.00	\$40.00
\$25.00	\$41.58
\$26.00	\$43.17
\$27.00	\$44.75
\$28.00	\$46.33
\$29.00	\$47.92
\$30.00	\$49.50