

# Public Comment - January 17, 2024

**Name: Pamela Hutton**  
**Sent: November 21, 2023**

**Topic: C-470 Express Lanes Safety Enforcement Program**

Good morning, Commissioner Eula -

I hope this finds you well, and looking forward to the Thanksgiving Holiday.

Yesterday I spoke with Commissioner Stuart about some issues I've been hearing about and experiencing regarding the Express Toll Lanes on C-470. She thought I raised some good points, and would like the CTIO to explore these ideas.

She asked me to contact you also, since I live in Douglas County, and you are my Commissioner.

Would you be available to have a phone conversation/meeting with me sometime soon?

Thank you so much,  
Pamela

**Response from Director Adams**

**Date: November 2023**

Mrs. Hutton and I talked about her concerns regarding the C-470 Express Lanes. She indicated she is a former CDOT Chief Engineer and was calling on her, her husband and a number of her acquaintances (most of whom reside in south Douglas County). Their concerns have to do with the recently implemented fines for inappropriate entry into the Express Lanes (entering into the Express Lanes over the solid lines). Mrs. Hutton and her acquaintances feel the fines are unfair. They believe drivers should be able to use their judgement and cross the solid lines in circumstances where they perceive traffic slowdowns or accidents. They do not perceive the safety issue in the same way nor do they feel a "strict" policy regarding imposing the fines is warranted.

In her words "as long as the driver has exercised due caution and there is a slowdown or accident and the driver pays the Express Toll fee they shouldn't be charged a fine". I gather the only time they believe it would be appropriate to charge fines is when the driver fails to pay the toll.

She told me that Karen has indicated that we will be discussing this at the December meeting. I'm not sure what discussion would take place other than an update from Kelly similar to what we received last week. I think it's too early to do anything other than continue reviewing the data (so far it seems like behavior is changing). So in the first couple of months the fines are driving the change in behavior.

I did invite Mrs. Hutton asked her acquaintances to reach out and share their views as well.

In the meantime I think we should continue gathering the data and listening to our constituents.

Director Adams

**Name: Brian Bowles**

Sent: November 20, 2023

**Topic: Express Lanes Safety Enforcement Program**

To: Director Bowes (Mr. Bowles also reached out to Director Easton via phone)

Here's the paperwork my husband and I had no ability to address before the violation doubled. The phone rep accused me of lying and saying my mail should have been transferred.

I need to know other people won't be treated in such an abusive and cruel manner.

We paid it to protect our credit but we didn't know that prevented us from addressing it and challenging it. By paying, we believed that took away the fear of reprisal. The person on the phone was so cruel we just paid it to give us time to defend why we couldn't have possibly covered this before the double date.

It's a sick policy and it means placing people in strange situations like us being forced to give you money we don't have. Why can't we pay the original violation fee? That's only right and fair.

How do we contest this?

I'm happy to come to the next board meeting so you can hopefully develop a more thoughtful policy that includes bereavement.

We have evidence we were in Florida for those dates, making it impossible to respond to this notice.

Please call as soon as possible to 720-629-0910. Thank you for your time.

Peace, Brian and John

**Response: November 29, 2023**

Dear Mr. Bowles,

Thank you for reaching out with your feedback.

I'm sorry that this issue came up at a difficult time while you were out of town caring for a sick friend.

The point you raise about extenuating circumstances is a good one. Unfortunately, the reasons to dismiss a citation the customer service representatives have available to them are limited because of some procedural issues with the state controller.

However, given your feedback and that of other members of the public, we will be holding a policy discussion with the CTIO Board on the Safety Enforcement Program soon (date TBD) to discuss if/how the policy can be updated to allow more flexibility for CSRs to take into account situations like the one you mentioned.

Your feedback and this response will be included in the board materials shared with the CTIO board before the next meeting on January 17th.

Please do not hesitate to reach out if you have any more questions.

Sincerely,

Simon

**Note:** CTIO also looked into this particular case given the comments about professionalism. After listening to the call, CTIO staff can confirm the CSR staff acted in a calm and professional manner.

**Express Lanes Safety Enforcement Program Ingress and Egress**

CTIO staff have also received feedback regarding Express Lanes's ingress and egress points. CTIO is currently reviewing these Ingress and Egress points with CDOT traffic engineers to identify where modifications can be implemented safely.