

**Telephone Town Hall Questions and Answers  
HOV 3 Change on CDOT HOV Express Lanes  
Dec. 12, 2016**

**PRICING**

1. *Why can't you put down reduced pricing (middle ground) for two passengers? It costs \$4.50 on a bus or \$4.65 in HOV Express Lane, so why not increase the fee for a single passenger car to use HOV? Is HOV 3+ based on times of day? If you can adjust the tolls on basis of congestion, why can't you adjust HOV 2/3 the same way?*
  - In February 2013, the Colorado Department of Transportation (CDOT) Transportation Commission passed a resolution stating that all CDOT High Occupancy Vehicle (HOV) Express Lanes would change from HOV 2+ to HOV 3+ on Jan. 1, 2017. HOV 3+ equals a driver and at least two passengers. The Denver Regional Council of Governments also approved this change on US 36 and I-25, the two corridors with HOV Express Lanes in operation or development. The change for HOV 3+ will be in effect all hours of the day.
  - ExpressToll can recognize carpoolers or toll-payers using the ExpressToll passes. There is no differential rate for vehicles carrying less than three passengers to carpool and it will not vary by hours of the day. HOV 3+ will always be in effect.
  
2. *Are you paying normal wage or the Davis Bacon wage? Believes there is a lot of governmental waste that can be changed.*
  - Yes, we abide by these regulations and pay the Davis Bacon wages. Please visit CDOT's website to learn how your CDOT dollar is used and learn about funding and accountability by visiting <http://dtdapps.coloradodot.info/otis/YCD>
  
3. *Will it cost more if there are two people in car? If you are a single person using the lane, will that price go up?*
  - A single driver or vehicle with two people will pay the toll price if they have an ExpressToll account and pass. Drivers that are sent a bill in the mail using License Plate Toll will pay more to cover the costs of sending them that bill.
  - Drivers can carpool for free on the Express Lanes as long as there are three or more in the car and the vehicle has an ExpressToll account and Switchable HOV Transponder.
  
4. *Why charge for a transponder?*
  - HOV purists (people who carpool only) can get transponders after spring 2017 for free as long as they exclusively carpool, but if they use it in TOLL mode, their credit card will be charged the \$15 cost of the transponder, the account balance for the tolls, as well as any tolls incurred.
  - For drivers that want the option to choose between carpool and toll travel, the Switchable HOV Transponder costs \$15, which passes along the cost of the pass to the driver.
  
5. *Congestion is caused by growth; is there a way to charge the new people (prop tax)? Will any of the tolls ever be reduced or cancelled?*
  - CDOT knows we can't build our way out of congestion. Express Lanes offer choices including transit, carpool and paying a toll to use the lanes for a

reliable travel time. The price of the toll allows CDOT to price the lane to have just the right amount of vehicles in the lane to allow for the reliable travel time. So the tolls do fluctuate depending on the time of day.

- CDOT does not collect property taxes and relies on federal funding as well as the state gas tax, which has not been raised in more than 20 years.
6. *Wondering why we paid so much for FasTracks; and why there are increasing to HOV 3 to not have to pay a toll. Feels like it is a big money grab.*
- In February 2013, the Colorado Department of Transportation (CDOT) Transportation Commission passed a resolution stating that all CDOT High Occupancy Vehicle (HOV) Express Lanes would change from HOV 2+ to HOV 3+ on Jan. 1, 2017. HOV 3+ equals a driver and at least two passengers. The Denver Regional Council of Governments also approved this change on US 36 and I-25, the two corridors with HOV Express Lanes in operation or development.
  - The change is necessary for two main reasons: To ensure trip reliability for those in the Express Lanes - especially reliable mass transit - well into the future as Colorado's population grows. Also, this change helps provide funding to offset the costs of adding transportation infrastructure and ongoing operations and maintenance.
  - Colorado's population is expected to increase 47 percent to 7.8 million residents by 2040. Colorado cannot build its way out of congestion. Express Lanes help to meet the needs of a growing population with no funding for increased capacity. Colorado's Express Lanes only achieve the goal of providing uncongested travel if most or all of the vehicles using them pay the market price. As the population continues to grow and funding continues to shrink, HOV 3+ helps guarantee uncongested travel in the Express Lanes.
  - The move to HOV 3+ also ensures congestion relief and trip reliability for transit, carpoolers and drivers who choose to pay a toll well into the future as the population continues to grow. At the same time, additional riders in a carpool and transit users are reducing vehicle emissions and congestion.
7. *If you can adjust the tolls on basis of congestion, why can't you adjust HOV 2/3 the same way?*
- In February 2013, the Colorado Department of Transportation (CDOT) Transportation Commission passed a resolution stating that all CDOT High Occupancy Vehicle (HOV) Express Lanes would change from HOV 2+ to HOV 3+ on Jan. 1, 2017. HOV 3+ equals a driver and at least two passengers. The Denver Regional Council of Governments also approved this change on US 36 and I-25, the two corridors with HOV Express Lanes in operation or development. The change for HOV 3 will be in effect all hours of the day.

## GENERAL CONCERNS

8. *Is the money taken in public record?*
- CDOT collects the toll revenue on I-25 Express Lanes and the private partner, Plenary Roads Denver, collects the tolls on US 36 Express Lanes (including

Central I-25 section) to help to offset the cost of providing the added transportation infrastructure as well as the ongoing operations and maintenance costs for the corridors.

- Plenary Roads Denver provides reports on the Express Lanes and that information can be found at [www.coloradohpte.com](http://www.coloradohpte.com).
9. *Concerned about the change from HOV 2+ to HOV 3+ because it will discourage people and questions the statistics used to show the trip reliability?*
10. *If can't do three passengers for HOV and you don't have money for the Express Lane, how is that going to help?*
- We acknowledge that the switch can be difficult for some people and encourage them to reach out to our partners for help in finding a third carpooler or another alternative. Go to [expresslanes.codot.gov](http://expresslanes.codot.gov).
11. *If you find HOV Express Lanes aren't used as expected, will you change back to HOV 2+?*
- The change to HOV 3+ is necessary for two main reasons: To ensure trip reliability for those in the Express Lanes - especially reliable mass transit - well into the future as Colorado's population grows. Also, this change helps provide funding to offset the costs of adding transportation infrastructure and ongoing operations and maintenance.
  - CDOT knows this change in carpooling may be difficult and has worked with many partners to help provide additional options and incentives for HOV 3+. Also, the Express Lanes offer choices for everyone and drivers are never forced to pay a toll. You can always choose to use the free general purpose lanes, find an additional passenger to carpool with, or ride the bus.
  - There is no plan to return to HOV 2 for free.
12. *I live in Thornton and work in Superior and don't have a 3rd co-worker -- so how does this help them?*
- CDOT's partners are ready to help you find a third person for your carpool or explore other options for making your commute fit your lifestyle. Visit our partner website to find solutions and incentives to try other options on the HOV Express Lanes on US 36 and I-25. Go to [expresslanes.codot.gov](http://expresslanes.codot.gov).
13. *Comment: Converted lanes were paid for by taxpayer dollars on I-25 corridor. Looks like we are being asked to pay twice and it seems like an increase in taxes.*
- The I-25 Express Lane from Speer to US 36 offers carpool, transit and toll options, and is maintained by Plenary Roads Denver, which uses the toll revenue to pay for the ongoing operations and maintenance. The I-25 Express Lanes from US 36 to 120th as well as the from 120th to Northwest Parkway/E-470 will use the toll revenue to help offset the loans to pay for these projects and help to offset the ongoing operations and maintenance costs.
14. *Is there concern about discriminating against the poor?*
15. *Comment: seems undemocratic to consider people with the ability to pay toll and their time is more important than those who cannot afford to pay for Express Lane.*
- Express Lanes offer many choices for all people, including transit, the free general purpose lanes, carpooling and tolls. Drivers are never forced to pay a

toll.

16. *I drive from Boulder and have seen my travel time decrease because of the Express Lanes, but wouldn't the new rule push HOV 2 into general traffic lanes thereby increasing my travel time?*

- Plenary Roads Denver expects about 50% fewer HOV users due to the switch, confirming CDOT's estimate. Drivers have a choice to pay the toll and use the Express Lane, use the general purpose lanes, find additional passengers for carpooling or use transit.

17. *How will the the new traffic issues be addressed since the new Express Lanes opened? The average commuter doesn't have incentive (like tax break). Businesses can write these off?*

- About 174,000 vehicles use the North I-25 Express Lanes corridor daily and the added capacity of the Express Lanes along this corridor and US 36 helps to move all lanes of traffic faster and reduce travel times.
- Please consult a tax attorney regarding tax incentive questions. However, keep in mind there are several incentives from CDOT's partners offered to help riders find a third carpooler, try transit or a vanpool. Learn more at CDOT's Express Lanes page.

18. *Where is the HOV free? If you're finding additional riders - how are you ensuring safety?*

- HOV carpooling for free is available on CDOT's HOV Express Lanes which are US 36 and I-25 Express Lanes only. We encourage drivers to work with CDOT's partners along the corridor to find a match in carpooling.

## ENFORCEMENT QUESTIONS

19. *How will they know without pulling the car over if there are three or more passengers? How will this be enforced? How will they detect a third person? If someone is lying down in back seat - how will that be determined?*

- A signal is emitted from your Switchable HOV Transponder when you have it in HOV mode that alerts law enforcement to conduct a visual check to see if there is enough passengers. The fine for HOV violation is \$250.

20. *Lack of state patrol on I-25 (driver comes from Loveland & Franktown) and sees drivers abusing the Express Lanes. Please address how to handle the highway.*

- Drivers can call \*CSP to report aggressive driving. Additionally, CDOT is working with local jurisdictions and Colorado State Patrol to increase enforcement along the corridors.

## GENERAL QUESTIONS

21. *Wants to ask about electric cars.*

22. *Why are hybrid cars not allowed regardless of # of passengers?*

- Electric vehicles do not use the Express Lanes for free, unless they are part of CDOT's Hybrid Vehicles permitted program and that program is capped at 2,000 permits. Electric vehicles must have an ExpressToll account and pass to either carpool for free or pay only the tolls. Otherwise, they can pay using License

Plate Toll, or the photo toll option.

23. *What is the correct website?*

- Please visit [expresslanes.codot.gov](http://expresslanes.codot.gov)

24. *How come the north side of town is hit with tolls but the south side is not?*

- CDOT knows it cannot build its way out of congestion. Colorado has a decreasing transportation funding situation where we can't build new capacity, but just have funds to pay for operations and maintenance currently. Adding to that, our state's population is expected to grow by 47 percent by 2040, putting more demands to our transportation infrastructure and Express Lanes are one way we can add capacity in critical corridors. Lastly, the C-470 Express Lanes project will bring express lanes to the southern metro area.

25. *Is Boulder Turnpike being maintained by original company?*

- Plenary Roads Denver is responsible for operations and maintenance of US 36.

26. *Where is the money going?*

27. *Mentioned P3 (public-private partnership); can you expand what that is? How much is going to the PPs?*

28. *Are your partners out of the country?*

- Plenary Roads Denver is the private partner with CDOT on operating and maintaining the US 36 Express Lanes corridor. Plenary collects the toll revenue to pay for the ongoing operations and maintenance as well as for repaying the loans to build the new corridor.

29. *What are the plans for expanding the HOV in the metro area?*

- CDOT works with each corridor to determine if an Express Lanes Project will include HOV or not.

30. *Which police agencies have agreed to enforce the HOV 3 plus?*

- The Colorado State Patrol is enforcing HOV 3+

31. *What is the expected additional revenue to the private concessionaire for this switch?*

32. *Why is this awarded (privatization) out to a company from Arizona?*

- The US 36 and I-25 Express Lanes will use the toll revenue to help repay loans for the Express Lanes corridors as well as to pay for ongoing operations and maintenance. Plenary Roads Denver expects about 50% fewer HOV users due to the switch, confirming CDOT's estimate. The P3 or public-private partnership used on the US 36 Express Lanes project allowed this corridor to get its improvements nearly 20 years earlier, or at all, than had it relied on traditional funding.

33. *Why isn't the HOV Express Lane being used for the greater good to reduce traffic?*

- The Express Lanes allow for transit, toll paying and carpooling users with a reliable travel time. The switch to HOV 3+ will put more people in fewer cars, helping to reduce congestion and reduce emissions.

34. *Why do plows not plow before 5am?*

- Snow plow operations run 24/7; they are out as needed.

35. *How does Gov. Hickenlooper feel about this and are CDOT cars exempt from having 3 in the car?*

- CDOT cars, like other cars that want to travel for free as an HOV carpooler, must have the Switchable HOV Transponder and three or more passengers.

36. *How do you find more information as asked in poll question?*

- For more information on CDOT's HOV Express Lanes, HOV 3+ changes, please visit [expresslanes.codot.gov](http://expresslanes.codot.gov).

#### **WHY HOV 3?**

37. *Doesn't believe HOV are crowded enough to go to HOV 3+? Why go to HOV 3 when HOV 2+ is not full? Wants to understand the process for making the decision of going from HOV 2 to HOV 3+? If the goal was to reduce congestion most cars have only one person so 2 in HOV lane seems more conducive to reducing.*

- There are two reasons for the change: to ensure trip reliability now and into the future as the Denver metro area's population grows and to provide a source of funding for transportation infrastructure projects.

38. *Concerned HOV 3+ will discourage people from carpooling and questions the statistics used to show the trip reliability? How does an HOV 3+ work fairly? 2 works easily. Agrees that there is not enough volume to go to 3. If it turns out this doesn't raise revenue - will it go back to 2?*

- The HOV 3+ change will begin Jan. 1, 2017 and there is not a plan to return to HOV 2+. The change to HOV 3+ is necessary for two main reasons: To ensure trip reliability for those in the Express Lanes - especially reliable mass transit - well into the future as Colorado's population grows. Also, this change helps provide funding to offset the costs of adding transportation infrastructure and ongoing operations and maintenance.

#### **TRANSPONDER QUESTIONS**

39. *Our company has pick-up trucks that have transponders and most carry only 2 people. Any chance of exempting pick-up trucks?*

- If your vehicle can not legally accommodate three passengers, you will not be able to travel for free as a carpooler under HOV 3+.
- If you are an HOV Purist, which means you have a Switchable HOV Transponder and only travel as a carpooler, you are eligible for a \$15 reimbursement in spring 2017, to cover the cost of the transponder. Contact ExpressToll with any questions.

40. *Why are transponders required?*

- To use any Colorado Express Lanes, you will need an ExpressToll account and pass to avoid a higher toll. The Switchable HOV Transponder is the only pass that allows you to choose the carpool option and use the lanes for free. The Switchable HOV Transponder enables the toll system and law enforcement to see which mode you are declaring -- toll or HOV.
- The Switchable HOV Transponder costs \$15—which covers the cost of the device and the cost of shipping to you when you order one. The \$15 is deducted from the \$35 required to set up a new ExpressToll account, leaving a balance of \$20 to be used on tolls.

If you currently have an ExpressToll account, the \$15 will be charged to your current account. In spring 2017, people who plan to only carpool in the lane (HOV purists) will be able to get a transponder for free. In the meantime, you can pay for one and get a reimbursement after the change goes into effect.

Remember: If you choose not to use a pass, you will be billed through a License Plate Toll. A bill will be sent to the registered owner of the vehicle and you will pay a higher toll rate based on how far you travel in the Express Lane. Visit [ExpressToll.com](http://ExpressToll.com) to open an account and get a pass.

#### DATA /STUDY QUESTIONS

41. *What is the percentage of people not paying? Do you have data on daily cars that carpool and travel for free?*
  - ExpressToll Pass holders has a 96 percent collection rate.
  - About 20 to 24 percent of users on CDOT's HOV Express Lanes declare HOV/carpool.
42. *Have you studied how many cars are HOV 2+ and HOV 3+?*
  - CDOT monitors and reports on how many cars declare to be HOV or carpooling but does not have HOV 2+ or HOV 3+ data.
43. *Wants to understand if they look into revising the resolution from 2013 to current traffic patterns? What is the breakdown that went into the modeling leading them to believe they will get an increase in revenue? How much modeling has CDOT done with regard to this change?*
  - Vehicles that use the Express Lanes as carpoolers do not pay to use the lanes and are adding congestion to that lane. By increasing the number of paying users and decreasing the amount of users that do not pay to use the Express Lanes, toll revenues are expected to increase for those corridors, helping to pay for the cost of the infrastructure.
44. *What was the decision making criteria for HOV 2+ to HOV 3+?*
  - The change to HOV 3+ is necessary for two main reasons: To ensure trip reliability for those in the Express Lanes - especially reliable mass transit - well into the future as Colorado's population grows. Also, this change helps provide funding to offset the costs of adding transportation infrastructure and ongoing operations and maintenance.

#### EXCLUSION QUESTIONS

45. *Can School bus drivers for school districts excluded? Can they use the HOV for free with only one passenger?*
  - School Buses can use the HOV Express Lanes for free with a Switchable HOV Transponder. Prior to travel, the School District should contact Plenary Roads Denver, for travel on US 36 and I-25 Central and HPTE for other I-25 Express Lanes.
46. *Will registered van pools users be able to use HOV Express Lanes on days when they have less than three riders? Are they exempt?*

47. *Is there an allowance for those that usually take 4-5 people in their van? Was that consideration part of the analysis based on your decision?*

- Van pools with a Switchable HOV Transponder can go for free with three or more riders in the vehicle. Van Pools with less than three passengers can use the Express Lane in toll-mode.

48. *Can motorcycles use the HOV Express Lanes for free?*

- Motorcyclists can use HOV Express Lanes for free. Starting Oct. 15, 2016, motorcycles are no longer required to have an ExpressToll account and pass to use CDOT's HOV Express Lanes (I-25 and US 36) for free. To use any of the other Express Lanes, the Northwest Parkway or E-470, motorcycles without an ExpressToll account and pass will pay a License Plate Toll to use those lanes.

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