

Mr. Schultz Public Comment

Received June 26th, 2025

Summary

Mr. Schultz contacted CTIO staff through 5 separate emails with various review requests. This page summarizes the requests, and the subsequent pages detail the emails in full.

1. Colorado Express Lane Program: Equity and Affordability

This is a request for a policy-level review of the Colorado Express Lane program, with a particular focus on the policy of establishing these tolled lanes and their impact on equity and affordability for all Colorado residents.

2. Express Lane Citations

A request is made for a policy-level review concerning the evidence provided in Express Lane safety violation citations. Specifically, the policy of providing only two static images in the citation, rather than video footage that captures the entire event, is a concern.

3. C-470 Markings

Concerns are expressed regarding the lane markings on the C-470 Express Lanes and their connection to the Express Lanes Safety and Toll Enforcement Program, managed by the Colorado Transportation Investment Office (CTIO).

4. Markings review

A formal request for a policy-level review of current Express Lane markings in Colorado can be made. The focus should be on the clarity of these markings and potential driver confusion.

5. STEP Program Review

A request is made for a policy-level review concerning the location and accountability of contractors responsible for the Safety Enforcement Program (STEP) for Colorado's Express Lanes. The concern is that utilizing out-of-state contractors may hinder accountability and contribute to transparency issues in the program's interactions with Colorado citizens.

1. Colorado Express Lane Program: Equity and Affordability

Dear Colorado Transportation Investment Office (CTIO) Board of Directors,

This is a request for a **policy-level review of the Colorado Express Lane program**, with a particular focus on the policy of establishing these tolled lanes and their impact on equity and affordability for all Colorado residents.

While acknowledging the intended benefits of Express Lanes, such as improved traffic flow and travel time reliability, concerns exist that the current model may disproportionately benefit higher-income individuals while placing a burden on those with limited financial resources. It appears that access to the faster, less congested travel option is often contingent on the ability to pay, creating a two-tiered system that may disadvantage those with lower incomes.

It is understood that CDOT states that drivers always have the choice to use the express lane or the regular lane. However, this "choice" may not be a meaningful one for individuals who cannot afford to pay the fluctuating tolls, especially during peak congestion times. This can lead to increased travel times and potentially missed opportunities for those who rely on efficient transportation for work, appointments, or other essential needs.

While some efforts have been made, such as the Central 70 GES Tolling Equity Program, it is important to consider the broader implications of the Express Lane program on overall equity and access to transportation throughout Colorado.

The CTIO Board of Directors is urged to review the policy on the establishment and operation of Express Lanes, specifically addressing:

Equity and affordability: Examine the socioeconomic impact of Express Lanes and explore alternative pricing structures or programs to ensure equitable access for all residents, regardless of income.

Alternative transportation options: Evaluate the overall transportation system to ensure that sufficient resources and investment are directed towards public transit, carpooling incentives, and other affordable transportation options that complement or provide alternatives to Express Lanes.

Public engagement and transparency: Seek input from a diverse range of stakeholders, including low-income communities and advocacy groups, to better understand their concerns and perspectives on the Express Lane program.

Reviewing this policy with an emphasis on equity and affordability could lead to a more balanced and inclusive transportation system that benefits all Colorado residents.

Thank you for your time and consideration.

Mike good American Schultz

2. Express Lane Citations

Dear Colorado Transportation Investment Office (CTIO) Board of Directors,

A request is made for a **policy-level review concerning the evidence provided in Express Lane safety violation citations**. Specifically, the policy of providing only two static images in the citation, rather than video footage that captures the entire event, is a concern.

While the state utilizes advanced roadside technology to enforce Express Lane rules and capture images of violations, the limited information presented in the citation itself, which typically consists of only two images, can be insufficient to provide a complete picture of the situation. Two images alone may not adequately convey the nuances of the driving maneuver or the context in which it occurred. For instance, factors such as traffic flow, sudden lane changes by other vehicles, or the specific location of the driver in relation to the lane markings (e.g., dashed vs. solid lines) at the precise moment of a perceived violation may not be fully apparent from just two snapshots.

It is understood that the purpose of the Safety Enforcement Program (STEP) is to promote safety and compliance with Express Lane rules. However, without a more comprehensive record of the incident, drivers who genuinely believe they did not commit a violation or whose actions were influenced by circumstances not captured in the limited photographic evidence may face difficulty in disputing the citation and demonstrating their adherence to the law. The current policy, by limiting the evidence to two pictures, may not offer drivers the opportunity for a thorough and fair review of their case.

The CTIO Board of Directors is requested to conduct a policy review regarding the nature of the evidence provided in Express Lane violation citations. The review should address:

The feasibility of providing video evidence: Consider including video footage of the alleged violation in the citation or making it accessible to drivers for review.

Enhancing photographic evidence: Explore ways to improve the quality and context of the photographic evidence. This could include providing more images or incorporating other visual aids to better explain the event.

Ensuring due process and fairness: Evaluate the current evidence policy in the context of due process. Ensure drivers have enough information to understand the basis of the alleged violation and dispute it if needed.

Reviewing and potentially revising this policy can enhance transparency and fairness in the Express Lane enforcement process. This fosters greater trust and cooperation between the public and transportation authorities.

Thank you for your consideration.

Sincerely,

Mike good American Schultz

3. C-470 Markings

Dear Colorado Transportation Investment Office (CTIO) Board of Directors,

A formal request for a **policy-level review of current Express Lane markings in Colorado can be made**. The focus should be on the clarity of these markings and potential driver confusion.

According to the recent email from CDOT Citizen Advocate, Gina Quintana, written requests for a policy-level review should be submitted to the CTIO Board of Directors at board@codot.us.

The concern is the inconsistent use of dashed/dotted and solid white lines at entry and exit points on different Express Lane corridors. For example, the I-25 southbound entrance requires crossing a dashed line followed by a solid line, while the C-470 exit between Quebec and Broadway uses a dotted line followed by a solid line for exit.

These differing applications of similar markings, which dictate permissible entry and exit maneuvers, can be confusing and potentially lead to accidental violations. This concern is amplified by instances of legal challenges, such as the successful dispute of a ticket for crossing a solid line to enter an Express Lane on C-470, highlighting the ambiguity that some drivers face.

The CTIO Board should review the policy governing Express Lane markings to enhance clarity and consistency across all corridors. Consider the following:

Review the current policy on Express Lane markings to evaluate the clarity and effectiveness of existing standards.

Assess the potential for confusion by conducting studies or surveys to gauge driver understanding of different marking patterns.

Explore options for enhanced driver education and signage to better inform drivers about the rules for each Express Lane corridor.

A review of this policy could create a more consistent and understandable system for all drivers using Colorado's Express Lanes.

Thank you for your time and consideration.

Sincerely,

Mike good American Schultz

4. Markings review

To Whom It May Concern,

Concerns are expressed regarding the lane markings on the **C-470 Express Lanes and their connection to the Express Lanes Safety and Toll Enforcement Program**, managed by the Colorado Transportation Investment Office (CTIO).

Specifically, it is a concern that some of the lane markings are unclear or potentially misleading, making it difficult for drivers to navigate the Express Lanes correctly. This is particularly troubling in light of the enforcement program that issues citations for violations related to these lanes, enforced through a third-party business.

It seems highly inappropriate and like a conflict of interest for CDOT to be responsible for designing the lane markings and also have a role in dictating the fines associated with violating those markings. When the entity responsible for the lane markings and/or their enforcement also benefits financially from the issuance of citations, there is a risk that revenue generation could be prioritized over ensuring clear, safe, and easily understandable traffic guidance.

Observations and Concerns Regarding C-470 Express Lane Pavement Markings and Traffic Flow:**

Numerous instances have been observed where pavement markings, specifically directional arrows, on the C-470 Express Lanes are deteriorating, cracked, or have become indistinguishable. This compromises their effectiveness as essential traffic control devices.

Furthermore, the configuration of the lanes presents a potential safety hazard. When operating in the left lane adjacent to a dashed line designated for entry or exit, attempting to merge as indicated by this marking may inadvertently direct a driver into an exit-only lane. This scenario can lead to a sudden and unexpected traffic merge, potentially leaving the driver with no safe recourse other than abrupt deceleration. This situation increases the risk of a significant traffic accident, even when a driver's intent was to merge into the Express Lane in accordance with the apparent markings.

These concerns are amplified by the Express Lanes Safety and Toll Enforcement Program, managed by the Colorado Transportation Investment Office (CTIO). Given that the Colorado

Department of Transportation (CDOT) is responsible for designing and maintaining the lane markings, and also involved in the enforcement program, a potential conflict of interest arises. It is crucial that the design and maintenance of these markings, as well as the enforcement program, prioritize public safety and clear, unambiguous traffic guidance above all else.

It is believed that the design and enforcement of the C-470 Express Lanes should prioritize public safety and clear communication over revenue generation. Therefore, a thorough investigation is respectfully requested into the following:

1. The clarity and effectiveness of the C-470 Express Lane markings: Are they consistent with established standards, and are they clear to the average driver?
2. The procedures for issuing and processing citations related to the Express Lanes: Are they fair and transparent?
3. Any potential conflict of interest arising from the relationship between the entities responsible for the lane markings, enforcement, and revenue generation: Are there sufficient safeguards in place to ensure that safety and public interest are the primary considerations?

This matter should be taken seriously, and a prompt and comprehensive investigation should be conducted. Ensuring clear and safe road markings is essential for the safety and well-being of all drivers using the C-470 Express Lanes.

Thank you for your time and attention to this important issue. A response and information on the steps that will be taken to address these concerns are anticipated.

Thank you for your time and consideration.

Sincerely,

Mike good American Schultz

5. STEP Program Review

Dear Colorado Transportation Investment Office (CTIO) Board of Directors,

A request is made for a **policy-level review concerning the location and accountability of contractors responsible for the Safety Enforcement Program (STEP) for Colorado's Express Lanes**. The concern is that utilizing out-of-state contractors may hinder accountability and contribute to transparency issues in the program's interactions with Colorado citizens. While acknowledging the efficiency and advanced technology employed by the STEP program, it is believed that prioritizing contractors located within Colorado could enhance

accountability and transparency within the program. For instance, local contractors may have a more intuitive understanding of Colorado's unique traffic flows, weather conditions, and road characteristics, which could be beneficial in reviewing and interpreting violation data. Furthermore, a local presence can facilitate:

Increased Accountability: If issues or disputes arise, it might be more challenging to hold an out-of-state contractor accountable for their actions compared to a Colorado-based entity that is more directly subject to local regulations and community scrutiny.

Enhanced Transparency: Having local contractors could facilitate greater transparency in the program's operations, as they may be more readily accessible for community engagement and feedback.

Improved Responsiveness to Local Concerns: Colorado-based contractors are likely to be more attuned to local community concerns, transportation challenges, and communication preferences, which could lead to more effective and sensitive interactions with drivers.

The CTIO Board of Directors is urged to review the policy regarding the procurement and location of STEP program contractors. This review should consider:

Prioritizing Colorado-based contractors: Evaluate the potential benefits and challenges of requiring STEP contractors to be located within Colorado, focusing on enhanced accountability and transparency.

Strengthening contractor accountability mechanisms: Review and potentially revise the selection criteria for STEP contractors to ensure that factors like local knowledge, community engagement experience, and responsiveness to local concerns are adequately addressed, with a focus on enforcing accountability.

Promoting transparency in contractor operations: Explore ways to incorporate community feedback into the contractor performance evaluation process and ensure that contractors are held accountable for their interactions with Colorado citizens, fostering transparency.

Reviewing this policy with an emphasis on accountability and transparency could lead to a more collaborative and community-oriented approach to Express Lane enforcement. It is believed that a local presence could help to build stronger relationships with the community and improve the overall effectiveness of the STEP program.

Thank you for your time and consideration.

Sincerely,

Mike good American Schultz