

## US 36 Express Lanes Telephone Town Hall and Public Meeting Comments, Questions, and Answers

Introduction: CDOT, HPTE and Plenary Roads Denver listened to public comment and responded to questions at the US 36 Express Lanes telephone town hall on April 16 and a public meeting held April 21, 2015. Below are the comments, question and answers from these two events.

**Q #1- Atkins from Westminster:** Are there going to be any free lanes between Denver and Boulder? Or will all lanes have a toll?

A- There will be two free lanes between Denver and Boulder that will be joined by the one express toll lane. But you will still have the option of traveling free in the general purpose lanes.

**Q#2 - Charles Herring:** What mechanism will there be to stay on top of the private company to make sure they maintain the roads? Right now if I go to a private company and they don't do what I want I go to another company, so how do we hold private partner accountable?

A - We've got at the base of the transaction a very detailed, comprehensive contract with Plenary Roads that provides for a number of different performance measures that Plenary has to achieve every year. We engage ourselves - 'we' meaning the State - engage oversight consultants to make sure that Plenary is complying. Plenary, by the way, is paying us about \$400,000 a year to engage those consultants. We have an elaborate penalty system built in to the process. If there is a failure on the part of Plenary, the first line of defense is CDOT, as it's always been. CDOT is ultimately responsible to the Governor and the local government officials.

In addition to what Mike said, the State has the opportunity to keep tolls that we would otherwise collect if we don't maintain the highway at specified performance standards for the entire 50 years. Plenary has established an office in Denver and we are a part of the community for the next 50 years, and all of the employees that we hired are local from the Denver-Boulder areas. So our intent is to be long-term members of our community.

**Q#3 -** One of the short term benefits of a P3 approach was that the project would be done sooner. Kathy, can you tell me more about the long-term benefits?

A - Yes, the "20 years sooner" is huge for everybody that takes that corridor. And without this particular agreement and this P3, we would not be able to do it for many, many years. Some of the other benefits that we are actually gaining will be much like a school: you build a school and you put the capital in, that's one expense, but the ongoing expense of maintenance and operation is huge and it's ongoing for however long that school has to be operational. It's much the same with the US 36 corridor and the actual deal that we have going there. It's a big benefit to us to have Plenary pick up that responsibility and be able to manage that on an ongoing basis for the ongoing 50 years. That is a tremendous benefit that we have those dollars that we would be putting towards the maintenance and operation in that corridor towards other projects within the state. So, it's a great benefit and a great value to our taxpayers overall.

**Q#4 - Mike in Boulder:** I don't know how you determined that there has to be three people in the car. The driver and 2 others? Why is the HOV lane not restricted to the rush hour traffic going into and out of Boulder? I travel into Denver and back and forth quite often, and I don't see three people in a car at all. And two is very seldom. If I could get those two questions answered I would be happy.

A- Yes, currently it is HOV 2, but as of January 1<sup>st</sup> 2017, it will be HOV 3: a driver plus 2 passengers or more in order to qualify for a free carpool. The reason this is done is to ensure that the Express Lanes are able to provide a reliable travel time, and be sure that those people who are using them are able to get the travel time that they are paying for.

**Q#5- Sid:** I Understand that we already pay a fairly significant gasoline tax, about \$.40 on every gallon that we purchase, almost 18% of the cost is taxation. As well as state income tax. Why is there a need for a fee or a toll for what should be provided as basic services from CDOT?

**A -** Yes, we do pay gas tax and we do pay income tax, but none of the income tax in Colorado funds transportation, only the gas tax. That gas tax in Colorado hasn't increased in more than 20 years. Neither has the federal gas tax, and because both of those taxes are assessed, as you point out, in terms of cents on the dollar and not a percentage, there's been no inflation adjustment for those taxes for more than 20 years. What all of that means is that we are still funding transportation at the same rate that we were funding it at in the early 70s. Now at the same time, we've added millions to our population in Colorado. And we've also got cars that are much more fuel efficient, that means they travel more miles on a gallon of gas, but pay the same tax they would have paid 20 years ago. The combination of all of those factors means that we are really underfunded in terms of the gas tax that we collect at the State and what the federal government passes on to Colorado. It's for that reason that we need tools like these managed lanes on US 36 to expand capacity and reduce congestion

**Q#6 - Online from Debra:** We in Boulder are angry at these non-solutions at our expense. First, Boulder loses its train, and now we are paying more to use our public highway.

**A-** The toll revenues help to pay for expanded capacity on the highway. Also, tolled Express Lanes are really there to help manage for future congestion. Remember, that the existing general purpose lanes are free and they will remain free. So you always have a choice, whether you want to use the general purpose lanes or if you would like to pay a toll or carpool.

**Q#7 -Keith in Louisville:** Has there been any consideration by the commission that in 2017, instead of charging for having to have 3 people, keep it at 2 and eliminate the single use tolls so that people have two in the car can go for free? And has the commission considered increasing the number of hybrid passes since there are a number of people in the Boulder community that do have hybrids?

**A-** The number of hybrids that are exempt from tolls is established by the legislature, not by the commission and it sounds to me that you know that currently that statute provides for a number - I think its 2,000 exemptions for hybrid drivers. I think there's a waiting list to get within that 2,000 limit. One of the issues is that hybrids, because they are more fuel efficient, are not paying a fair share of the cost of the roads, and I think the legislature in its wisdom put a limit on the number of exemptions that are available. That can be changed, but it's a legislative matter, not a commission matter.

**Q#8- Eleanor in Westminster:** Who will collect the toll fees and how is it distributed?

**A-** The toll receipts are collected by E-470 on behalf of Plenary. So, E-470 will collect the toll out of your prepaid account or license plate transaction if you don't have a pass. And they pass those monies on to Plenary.

**Q#9- Mark in Boulder:** One of the questions for the survey should have been, have you had a pass and you don't have one any longer? I used to have an E-470 pass it was so complicated, I didn't understand the billing and now it's going to get worse. So that's just a comment. My question is: E-470 is known as one of the most expensive toll roads in the U.S., and I don't travel on it, it's just too costly per mile. Is US 36 going to be in the same situation as E-470 and with the complications with how the company is going to be billed?

**A-** The US 36 Express Lanes project is a tolled lane, not a toll road. So there will be toll lanes on there, but you will always have that option for free lanes to travel anytime. So you have that option available forever.

**Q#10- Jennifer in Boulder:** I ride a motorcycle and wanted to know if it's still free to use in the HOV lanes?

A- Yes, for motorcycle users, you will be able to use the Express Lanes for free in the HOV lanes, and you will need to have an ExpressToll account and sticker pass. You need to have that account active in order to travel for free. If you are a motorcycle driver and you do not have a pass, you will be billed at a license plate tolling.

**Q#11- Julie in Superior:** Will all of Colorado go to HOV 3 in 2017, or just the US 36 corridor? If only the US 36 corridor, why do we have a different standard and what data was used to set that HOV 3 standard?

A- There will be uniform application of any HOV 3 Express Lane operated within the state transportation system by CDOT. So, as long as you are HOV 2, the other lanes will be HOV 2 and when the congestion requires that you go to HOV 3, the other lanes will go to HOV 3. So there won't be any discrimination.

**Q#12- Julie:** What standards were used to set HOV 3, since lanes appear pretty empty in the Denver corridor when it's been HOV 2?

A- The trigger for the change from HOV 2 to HOV 3, by in large, is a result of the level of congestion in the Express Lanes. So, when the level of service and the travel times start to get low, and people are not saving the time that they're paying for, and then there is a trigger to move to HOV 3. That's a function of the operation of the managed Express Lane.

**Q#13- Robbie in Westminster:** When the realignment is finally completed from the construction phase to the new phase, will the area grates that you drive over as you go eastbound into Denver and certain areas when you come westbound, will those be out of the roadway? Because right now, you're up against the barriers, and they're in the roadway as you go in on the sides.

A- Once the lanes are in their final configuration, only the bus on shoulder will drive over those gratings. For the RTD buses that are making a short commute, they will drive on the shoulder and those buses would drive over those grates but the traveling public will not.

**Q# 13 - an online question -** What oversight does CDOT have?

A-The partnership agreement that Mike Cheroutes mentioned earlier makes Plenary Road accountable for operations on the road, as well as maintenance and repair. There are very clear standards that Plenary has to live up to, and if the company doesn't live up to them, there are financial penalties. So what that means is, Plenary really takes on the risk of non-performance, not CDOT or the taxpayers. Under that agreement, CDOT has regular times for check-in, and the opportunity for auditing Plenary's processes and procedures. There are also limits on increases in toll rates and penalties for toll violations and before any of those rates are increased, and they're subject to approval by the State. So really, that partnership agreement provides great accountability for our private partner.

**Q#14 - an online question:** Will this town hall be recorded? I heard a wonderful explanation of your current fee schedule and would like to replay that explanation so I can better understand it or at least be able to read a transcript.

A -Yes, we are recording this call and we will place that onto our website.

**Q#15- Allen in Federal Heights -** I travel between Pecos and Wadsworth twice a day. If there was an accident in the free lanes and you had to get into the toll lanes, are you going to be charged for a toll? How's the State going to handle this, because I really believe that there's going to be a lot of people that avoid US 36 and start using 112<sup>th</sup> and 120<sup>th</sup> to get back and forth between I-25 and Wadsworth?

A- When there's an accident in the general purpose lane, and folks are forced to get into the managed lane, we waive the tolls during that period while the accident clears. The capacity on US 36 stays the same as before for free lanes, two lanes remain free, and the added capacity comes in the form of a toll lane and the addition of a bus on shoulders. Most of the RTD buses will either be in the managed lane or the bus on shoulder, so there will be more capacity on US 36 than you're used to. So our expectation is

that we will not divert traffic away from US 36 onto the side streets. The project will have an enhanced travel service called active travel management or ATM, which means there will be instant information relayed to travelers that there's an accident and where to merge to, and to get them information in real time so that they can prepare, and that will help them in the general purpose lanes as well.

**Q#15 - an online question from John:** How will the driver plus 2 passengers be enforced in 2017?

A- We've got state patrol enforcement of the HOV use of that lane, just as there is now. And frankly, if a patrol person catches you out there with less than the HOV requirement in the car, the fine is fairly hefty. It is state police enforced compliance with the HOV rules.

**Q#16- Catherine from Westminster:** Do we have any kind of performance revisions for the 50 year contract, where that is not just an absolute 50 year contract?

A-Let's discuss the requirements for HOV 3. That is going to be as of January 2017, and that will be consistent throughout the state. So everybody on any Express Lane that we have that are tolled, that will be a requirement for them to travel free, where HOV is offered. On the 50 year contract: yes that is 50 years, and it is a long contract, but in order for us to get the benefits that we needed and for Plenary to be able to get their return on their investment, it is a 50 year contract. They have their requirements that they have to meet certain standards and then at the end of those 50 years it does revert back to the state to manage.

**Q#17- Shirley in Westminster:** Where is 88<sup>th</sup> and could you repeat the Colorado web address?

A-The address is [www.CODOT.gov](http://www.CODOT.gov), and go into HPTE. 88<sup>th</sup> Ave is approximately Interlocken parkway. So the first phase of the US 36 corridor will open later this summer and that will go from Federal Boulevard to 88<sup>th</sup> avenue which about Interlocken.

**Q#18 - Gary in Lafayette:** The toll is increasing since I started using E-470 from Lafayette to DIA in 2007. I've seen the tolls increase from 50 cents per booth to \$2.75 per booth. In 7 years, even after we removed the human factor. Can we expect that same kind of toll increase on US 36?

A- One of the clauses in our contract is that we are not allowed to exceed a toll that would take you from Boulder all the way to Denver, which means that all of the toll plazas on US 36 and the single toll plaza on I-25, that total price cannot exceed \$13.91 indexed at 2013 prices. In other words, it is allowed to increase no more than the CPI inflation index at \$13.91 for the total one-way trip.

The toll rates are set in order to manage congestion and to provide a reliable travel time, so they are priced according to time of day and usage and that's where you'll see the change of price. Also, we want to ensure that folks who are paying that will be able to have a reliable travel time.

**Q#19 - Marian in Boulder:** What happens if this proves not to be profitable for Plenary and they go belly-up?

A- In that situation for Plenary, the state reserves the right to step back in and take over operation of the road. Plenary loses its equity investment, and we proceed with the operation of the road as it exists and it will be a seamless transition for travelers on that corridor.

**Q#20 - Email question from Paul:** If I get a transmitter, can I use one transmitter between cars or do I have to have a transponder for each car?

A- Each household can be on one account. However, you're going to need a transponder or sticker pass for each vehicle. They can all be under one account, but you will need a separate one for each car.

**Q#21 - Bret in Westminster:** I guess Bill Ritter's transportation bill might be what paved the way for the introduction of toll roads without voter referendum, I'm not sure about that, so with that, there are other pieces in that transportation bill including research into usage of license plates of people that travel on the regular roads

to assess taxation each year based on the number of miles driven by that vehicle. That was sort of along with that bill. I'm wondering if pieces of that technology have also been introduced here?

A- Before the 2009 bill that created the HPTE, there was the Colorado Tolling Authority, so there's been the authority for the use of toll roads in Colorado since well before the Ritter administration. I think we're seeing more use of that option now because of the financial pressures that we discussed earlier in the call. With regard to license plate tolling or vehicle miles traveled, nothing in the works for that but certainly CDOT is staying up on the current technology and the options that might be available in the future. Certainly nothing on the horizon in that regard currently.

**Q#22- Cathy in Westminster:** Why does I-25 South get all of the upgrades, light rail gets developed in the South and there aren't extra charges to the people that reside in the South. When any of the improvements move North, they get delayed, cancelled or we get charged for them. It feels like an unfair distribution of tax monies to me.

A- Throughout the State, we try to be very consistent with the improvements that we're doing. Across the state, when we have expansion of any kind of service at all in lanes, we are considering, first of all, having managed lanes with those at this point in time so that we can pay for what we need to do with the few dollars that we have to do them with.

**Q#23 - Brent in Broomfield:** If you plan on using the toll lane during peak hours, have you considered possibly having a monthly fee that is not based on usage, so that you can have unlimited access to the express lanes?

A- That's a great question and it is a question that we have considered. We don't have plans to do that in the next year or two, but what will happen is we will put out survey questions. One of the things that we've learned from some of our competitors who are doing this in other states is there is a demand for that sort of thing, as well as a demand for if you use it so many times the next ride is free - what they call sort of the Starbucks mentality. So those are things that we are considering. Right now, we are extremely busy just trying to get the road built so you won't see that for the next year or so, but it is something that we are considering for sure.

**Q#24- Audrey:** What about the Express Lanes which will be used to facilitate RTD's express rapid transit service, which I feel is our region's near-term FastTracks investment.

A- We talk about choice in using the US 36 express corridor. It's the key concept in what's going on up there. The Express Lanes give a priority to the express buses, that's in large part why they are there. RTD spent in excess of \$120 million to facilitate these improvements, and in return they are going to try to give people up there a good, quick, reliable rapid transit service.

### **Survey Questions and Results:**

**Survey Question #1:** Do you currently have either an ExpressToll pass that you use on I-25 Express Lanes for the Northwest Parkway?

- **Responses:** 40% of participants on this call said they have an ExpressToll Pass; 60% of participants do not.

**Survey Question #2:** How often you think you'll choose to use the Express Lanes as a solo driver, instead of the general purpose lanes.

- **Responses:** 4% said you would use the lanes several times a week, 16% said 1-2 times a month, 28% said 1-2 times a year, and 52% said never use the Express Lanes as a solo driver.

**Survey Question #3:** People in Boulder County use a variety of transportation modes to get to and from work. For full- or part-time workers on the telephone town hall, which form of transportation do you most often use to get to work?

- **Responses:** 6% of you said you carpool, 4% said you bike to work, 1% said you motorcycle, 13% take the bus and 76% of you said you drive alone.

## April 21 Public Meeting's Comments, Questions and Answers

- 1) **Question/Comment: Frederick Dukic, Lafayette** - Who and what is holding that part of the road up between Lafayette and Golden, and who do we talk to move this process on? When will the beltway be finished? I've lived in New Jersey and Boston and even Manchester, NH, and the traffic here in Denver is the worst. Eventually we are going to need that capacity.

**Answer:** The beltway concept has been a process that is ongoing and planning for 2 decades, at least. There have been challenges in the communities with concerns about the beltway coming through their communities. A recent court case was decided that allowed for a land swap that will help move some of this process forward, the planning and future construction, and then working to identify some of the funds for that program. So it's not right on the horizon, but there is progress being made and it looks more promising than it has in years. There are still some challenges in determining how to mitigate the impact of some of the highways in those communities.

The problems are two-fold, political and financial. The folks on the west part of the beltway have recently joined in a coalition effort to sit down with governments and discuss ways and means to get that done. I think it won't be long before it is open. We have some ideas about financing the rest of that loop. We're at the same time coming around from the South with a phase on C-470 that will be an express lane in the next two years. We will continue that up to I-70. I hope be able to close the loop within 5 years. Things are starting to move. I agree it doesn't make sense to go sequentially, we should be moving as a system.

West Connect is being led by Jefferson County. One of their commissioners is spearheading the effort, Don Rosier.

- 2) **Question/Comment: Mark Rowlin, Broomfield** - I look at this project and I see that the Boulder Turnpike has been overloaded with traffic for 20 years and we are doing all this construction and we're only going to put a little bit of traffic on the toll part. Doing the math it would cost riders \$96,875 a year. We built the whole interstate highway system with taxes it served the public and business and the US very well over that period of time. We are all going to look back at this and think "what happened, why did we think this is a good idea?" Even if this is a good idea, why didn't we add another free lane? 1. We want to force traffic into the toll lanes 2. Well we don't have the means to give another lane so why not just toll the whole thing! All governments have a responsibility to provide infrastructure. If we continue to let the private industry take over this, we will be so over burdened with tolls.

**Answer:** There isn't an easy solution and we have worked to try to find a solution for the community. I think the solution that has been found is one that is touted from a national level as being a model from a multi-modal perspective. But recognizing that with that comes how we pay for those projects and this is where we are today. So recognize the frustration.

- 3) **Question/Comment: Marcia Kosar, Boulder** - There were no signs on the highway telling people there was a meeting tonight. I can't believe this is a 50 year deal - this is ridiculous. The state should not do anything this long term. We need roads all over the place and we haven't raised the gas tax in years. I'm shocked at the prices you are putting on the tolls. Yes it is a Lexus lane that's what it will be. I'm shocked at the HOV 3 too. I think I would like to remain at 2 when it's not rush hour.

**Answer:** Right now we have an HOV 2 policy and we're getting to the point where the volume on the I-25 Express Lanes is starting to impact the reliability of that lane. So we have some commitments with our partners, with RTD, to assure that their buses can travel at a certain travel speed, approximately 45 mph. So I'll use 25 as an example why the HOV 3 is becoming potentially a policy here no later than 2017. We are starting to impact those travel times and the lane is starting to clog to the point where it's no longer a reliable lane for people to travel in. So that's the reason for the shift to the HOV 3 policy.

During peak hours, we're starting to get to that point. Not saying we're there yet, but we're studying it and we are starting to get to that.

- 4) **Question/Comment: Alan Farb, Westminster** - You keep talking about choice, but that's a rather limited choice you are offering up there. How many lanes do we have going into Boulder now? What are the choices really? We can't even get 2 people in a car, why would we change it to 3? I'm thinking about a retired couple on a fixed income will not have the option of using the HOV lane because it is just 2 of them. I would still like more choice - income based. Charge less for people who make less money. Why not issue all of us transponders free every year until we get the high speed rail we were promised and have been paying for? Just keep in mind for pricing that it is expensive and it could be cost prohibitive.

**Answer:** Speaking for RTD right now for just a quick second. As you know, as part of the FastTracks plan, RTD components to the Boulder area were two. First, was the bus Rapid Transit System, which is going to be provided directly on the U.S. 36 corridor in these Express Lanes. The second was the proposal for the commuter rail that would be further off the corridor and up towards Longmont. Obviously as you know, the challenge has been with the commuter rail. So this corridor was the only corridor in the Metro area that had two options for two pieces of the FastTracks plan. They are delivering on the one. And they have talked a lot about the study of commuter needs, but costs to do the commuter rail are too great right now. The Bus Rapid Transit is that solution at this point in time. And I believe that study proposed the extension of the Bus Rapid Transit system.

The premise for CDOT as a policy moving forward is that CDOT is no longer building three general purpose lanes.

Let's distinguish between the RTD sales tax and that funding the transit systems versus the taxes that you pay at the pump. So you've not voted to make an increase to add additional revenue for us to pay for roadways since the 1990s.

People are voting with their feet in moving to Colorado. They are increasing the congestion of our roads and I think what people have asked CDOT to do is how do we address the congestion that population growth causes. This solution is the best solution to adapt to new millennial's looking for multi-modal transportation options.

- 5) **Question/Comment: Keith Thompson, Westminster** - Is there any kind of cap on the amount of profit Plenary can make on this project? Can you switch to a HOV 2 when it isn't peak hours?

**Answer:** The contract provides that at the point when Plenary pays off the debt that it has undertaken, and gets its return of capital; we will start sharing the toll revenues, we being the state and Plenary. In addition to that, there's a maximum toll that keeps a cap on things and you can only raise tolls so far before the total revenue starts dropping off. There are practical limits to it and there are contractual limits to it. There is a fixed formula in the contract about what comes back to the state that goes up to a 50/50 split.

- 6) **Question/Comment: Theresa Lubben, Westminster** - Please consider the plans for HOV 2+, and if there can be HOV 2+ options during off-peak hours. During off-peak hours it can be challenging to plan and organize enough riders for HOV 3+, and is HOV 3+ necessary during off-peak hours.
- 7) **Question/Comment: Connie Johnson, Broomfield** - I live halfway between the turnpike and where a rail line would go. I feel like it's been one thing after another. I think you're going to find HOV 3 will be really difficult. Is it possible to start out with one toll and end up with something completely different? Or are these standard times? So is the toll is fluid? How do the buses get in and out of the tolling lane?

**Answer:** If you go under a sign and it tells you, "this toll is an accumulation of gantries along the path." So if you get to a gantry it will take a picture of your license plate or read your tag, there will be a sign that says what the toll rate is at the next gantry. The toll rate increases as traffic congestion increases.

---

---

**US 36 Express Lanes Telephone Town Hall (April 16, 2015) -  
Messages from Call Participants - Comments, Questions, and Answers**

**Introduction**

*CDOT, HPTE and Plenary Roads Denver listened to public comment and responded to questions on the US 36 Express Lanes project during a telephone town hall on April 16, 2015. More than 5,000 residents of the US 36 corridor area participated in the telephone town hall. In addition to more than two dozen questions that were posed and answered during the call, more than 70 recorded messages were left by participants of the telephone town hall. Those recorded messages included the following questions and comments, which have been edited for clarity, categorized and answered below.*

**ADJACENT ROADS**

**Q-** What will happen if you force much of the traffic off US 36 and onto the side roads? For example, US 287 between 36 and Arapahoe, which is already heavily congested—has anyone studied the increase in traffic on the non-toll roads if more motorists use those roads to avoid US 36?

**A-** Upon completion of the US 36 Express Lanes project, the capacity on US 36 for free lanes will remain the same with two general purpose lanes. The added capacity comes in the form of two new tolled lanes, one in each direction, and the addition of bus access on shoulders. Most of the RTD buses will be in the Express Lanes, so with this project, there will be more capacity on US 36 than before. Also, the project will have an enhanced travel service called active travel management or ATM, which will relay instant information to travelers if there's an accident or heavy congestion and where to merge, to provide motorists with information in real time so that they can prepare—which will improve traffic flow on US 36, and reduce traffic impacts on nearby roads.

**AESTHETICS**

**Q-** What are the plans to restore the views and beautify the highway between Superior and Boulder?

**A-** As the construction nears completion on Phase 1 of the US 36 Express Lanes project (to 88<sup>th</sup>/Interlocken) in the next few weeks, and then is completed in early 2016 on Phase 2 to (to Table Mesa/Foothills Parkway), the visual impacts of construction, construction machines, barriers and orange cones will be removed. As part of this project, through land trades and acquisitions, a net increase of 27 acres is now part of the overall Boulder County Open Space system, and the project is also mitigating 21 acres of wetlands on existing City of Boulder Open Space property. Also, Davidson Mesa Outlook, between Superior and Boulder, reopened in early January 2016. The site has been

reconstructed and improved.

### **BIKEWAY**

**Q- Will the bikeway from 88th and Sheridan connect with one of the open space bike paths going downtown? Will there be a bike trail at Sheridan Boulevard, across or under, at 88<sup>th</sup>?**

Bicyclists on the US 36 bikeway will have to cross at signalized intersections at three locations: Sheridan Boulevard, Church Ranch Boulevard and 88<sup>th</sup> Avenue. All of the remaining crossings are grade separated. There will also be way-finding signage to guide bicyclists to existing bike paths and trail systems within the corridor, including connecting with trails to Denver.

### **BOULDER TRANSPORTATION ISSUES**

**Q- Are there still plans to run a light rail through to the 70th and Broadway Park & Ride, and eventually into Boulder? If so, what is the time frame for RTD?**

A- Construction of the first 6.2-mile electrified segment of the Northwest rail line between Union Station and Westminster stations began as part of RTD's Eagle P3 project, which is set to open in 2016. However, funding for the remaining 35-miles of the rail line is currently not identified.

**Q- Why are we paying tolls again, when US 36 was a toll road and already paid off? It seems unfair that our main road in Boulder is being expanded with tolls, but the roads in the south metro area are being expanded without tolls.**

A- Eighteen miles of US 36 opened as a four-lane toll expressway named the Denver-Boulder Turnpike in 1951, and tolls were removed in 1968. When built, the turnpike had only one interchange (in Broomfield), but in recent decades, nine other interchanges have been added as population in the corridor has grown—but the lane capacity on US 36 was not expanded during this time.

CDOT tries to be very consistent with roadway improvements. Across the state, when expansion of any kind of service in lanes is necessary, the addition of express lanes is a primary consideration. This is due to budgetary challenges in keeping up with our transportation system needs, and to ensure mobility choice and reliable travel times in our most congested corridors. The planned expansion of C-470 in south metro Denver will include tolled Express Lanes, and that is also the plan for the reconstruction of I-70 East in northeast Denver.

### **BUS RAPID TRANSIT**

**Q- Will individual cars on US 36 be allowed to use the shoulder that the bus rapid transit (BRT) buses are going to use when traffic is backed up?**

A: No.

**Q- How will the BRT program integrate within the updated US 36 corridor? Will there be direct service from downtown Boulder to downtown Denver? Can you can take the bus starting in Boulder and get all the way to Denver on a single fare, or if you make the transfer at the light rail in Westminster?**

A- The line's six stations include US 36 at Sheridan, Church Ranch, Broomfield, Flatiron, McCaslin and Table Mesa. BRT vehicles will continue on to the Boulder Transit Center and to the Boulder Junction at Depot Square from the Table Mesa station. Named the "Flatiron Flyer," BRT will offer riders their choice of express between Boulder and Denver, or making stops at all stations (including Westminster, where a transfer to the Northwest rail line could be made). For more information on RTD's bus rapid transit service on US 36, visit [http://www.rtd-fastracks.com/us36\\_1](http://www.rtd-fastracks.com/us36_1)

## **EXPRESS LANES**

**Q- What's the purpose of the Express Lanes? Why not remove the concrete barriers and open those lanes to general traffic?**

A- Express Lanes increase roadway capacity and help manage congestion on the highways. Rather than continuing to build lanes on congested highways, Express Lanes provide greater mobility choice by allowing drivers to ride the bus, carpool or pay a toll to use as a solo driver as an alternative to the free general purpose lanes. They are also built to complement existing general purpose lanes, providing drivers the choice of a new, optional lane. Express Lanes work to move more people, rather than simply move more cars. US 36 is an example of this new approach to increase travel choices and provide operational efficiencies through a variety of travel options that include transit, biking and walking paths, carpooling and Express Lanes. By presenting choices, Express Lanes will reduce delays, manage congestion and keep travel times reliable for motorists.

**Q- Are the toll road and the HOV the same lane? Is this section of the road only open in the beginning of the day one direction, and then it goes another direction at the end of the day? Or can you take the toll in and out of Boulder at any time?**

A- US 36 is not a 'toll road' - there are still two lanes of free, general purpose capacity in both directions of US 36, same as today. The new Express Lanes accommodate carpoolers, riders on RTD's bus rapid transit service, and solo drivers who choose to pay a toll to use the Express Lanes. The tolled Express Lanes will be open into and out of Boulder at all times, and they are not reversible (as they are on I-25 in Denver).

**Q- How will I access the Express Lanes on US 36? Will there be a barrier between the free lanes and the Express Lanes?**

A - There will be designated entrance/exit areas between each interchange that will be clearly identified by overhead signage and pavement marking, or by a barrier. Travelers will enter the lanes where the pavement stripes are a white dash, or when there is a break in the barrier. At all other areas, the Express Lanes will be separated by a solid, double white line. Crossing double, solid white lines is prohibited by law.

## **GAS TAX/TRANSPORTATION FUNDING**

**Q- Why have voters not been given the opportunity to pay taxes to invest in our future and in our infrastructure? Why can the state of Colorado not simply raise the tax gas instead of having citizens pay for the usage for these roads?**

A- Raising state and local gas taxes in Colorado requires voter approval. Recent public opinion research of Colorado voters statewide indicates there is no appetite for tax increases.

**Q- Does the toll fee fully fund this project?**

A- No. The tolls will be used by Plenary Roads Denver to operate and maintain the managed lanes, reconstruct them when necessary, ensure reliable travel times through dynamic pricing of tolls, and repay its debt and equity contribution—exceeding \$170 million—to the project. Any excess toll revenues will be shared with HPTE and applied to the corridor in consultation with the local governments.

## **HOV 2+/HOV 3+**

**Q- How many people do I need to have in my car to be a “high occupancy vehicle,” and how do I use the Express Lanes for free?**

A- On the new US 36 Express Lanes, carpooling drivers—which means the driver plus one passenger, or HOV 2+—must set up an ExpressToll account and install the switchable transponder to use the lane for free. Also, no later than January 2017, all carpool lanes will require TWO passengers and a driver (HOV 3+). Again, this change is to help ensure the Express Lanes provide users with reliable travel times and levels of service.

**Q- How will the HOV 2+ or HOV 3+ be enforced?**

A- Local law enforcement agencies on the US 36 corridor and the Colorado State Patrol will enforce the HOV lanes compliance.

**Q- If it proves to be that there is not the congestion that you are anticipating by the no-later-than January 2017 switch to HOV 3+, why don’t you wait until you see the volume of cars before making the switch to HOV3+?**

A- Our traffic analysis indicates that a change to HOV3+ will be necessary no later than January 2017 in order to maintain reliable travel times in the Express Lanes—and to ensure reliable travel times for bus rapid transit service in the Express Lanes, as well.

**Q- On E470 and the Northwest Parkway, there is not a high occupancy allowance, so all users are charged. Will this change with HOV3+? Will they put in an HOV lane there?**

A- E-470 and the Northwest Parkway are tolled roads. The ExpressToll passes will work on both US 36 and these toll roads. However, these toll roads do not have provisions for toll-free travel for high-occupancy vehicles.

**Q- Why do carpoolers require a switchable transponder? If you have three people at all times, is it possible to drive in the Express Lanes without a transponder?**

A- The Switchable HOV Transponder is the only pass that allows you to choose the carpool option and use the lanes for free. If you choose to use the Express Lanes without a pass, the roadway monitoring technology will not recognize your vehicle as an HOV user, and you will be automatically billed for a toll. CDOT encourages all users of US 36 to obtain an ExpressToll pass.

## **HYBRID**

**Q- Why do hybrid cars get to drive for free when they do not contribute to the gas tax? They get to use the roads all over Colorado, while non-hybrid drivers pay the gas tax *and* the tolls?**

A- By state law, there is a program that allows a certain number of hybrids to use Express Lanes for free, but it has already reached its maximum amount of vehicles allowed. Hybrids, because they are more fuel efficient, purchase less gasoline which is the primary source of funding for our road system (through the state and federal gas tax), and that is why there is a limit on the number of hybrid vehicle exemptions that are available.

## **MOTORCYCLES**

**Q- Why are motorcycles required to have an ExpressToll account since they are inherently free on the ExpressToll lanes?**

A- Motorcycles can use Express Lanes for free where HOV is also offered. Motorcycle users need an ExpressToll account with a pass so the Express Lanes monitoring technology—which picks up every type of

vehicle that uses the lanes—can detect that a traveler in the lanes is on a motorcycle, and thus should not be charged a toll.

## **PLENARY ROADS-DENVER**

**Q- What will happen to the project if something happened to Plenary Roads, such as mismanagement or bankruptcy?**

A- The State of Colorado owns US 36, and the state reserves the right to step back in and take over operation of the road if Plenary Roads Denver were to not live up to its agreement. In that instance, Plenary would lose its substantial equity in the US 36 project investment, and CDOT would proceed with the operation of the road as it exists. Such a transition would be seamless for travelers in corridor, with no disruption of service.

**Q- Will the public have access to an annual audit, or financial information about the tolls collected, the money expended for income, for repairs to the road?**

A- The agreement between the State of Colorado and Plenary Roads Denver provides for a number of performance standards and requirements that Plenary must achieve. These requirements and standards, as well as usage data on the Express Lanes, will be overseen and audited by CDOT, with regular reports to the HPTE board and the Transportation Commission. There is also a penalty system built into this agreement to enforce Plenary Roads Denver's requirements in the agreement. This partnership agreement provides great accountability for state taxpayers over the private partner in this important project.

**Q- Is snow removal still under state jurisdiction, or will Plenary Roads take care of that as well?**

A- As part of the agreement between CDOT and Plenary Roads Denver, Plenary Roads is responsible for maintaining, repairing and operating US 36—including snowplowing.

## **TOLL PRICING**

**Q- How are the toll rates determined at different times of the day?**

A- Express Lanes will use a pricing system in which tolls can change in price depending on the time of day - say, during peak morning or evening traffic. As traffic increases, the toll price goes up, helping to keep motorists moving on the Express Lanes.

**Q- The tolls are very expensive, especially for users with a limited income. Are there plans to reduce toll rates for limited income people, including seniors?**

A- The proposed toll rates are set to ensure reliable travel time for all users of the Express Lanes, including RTD's bus rapid transit riders. Motorists can save money with an ExpressToll pass, and all US 36 users are encouraged to obtain a pass. Of course, all travelers on US 36 have the option to use the free, general purpose lanes.

**Q- How will we know what the toll rates are going to be?**

A- The large, overhead Variable Message Signs (VMS) on I-25 and US 36 are updated in real-time with new rates so drivers will know before they enter the lanes exactly how much they will be paying.

###