



Date: June 25, 2015

To: High Performance Transportation Enterprise Board

From: Joe Mahoney, OMPD
Kari Grant, HPTE Specialist

Subject: Motorcycle Policy on HOV Lanes

Purpose

This memorandum presents an overview of current laws and rules that govern the use of motorcycles on Express Lanes that participate in the US DOT High Occupancy Vehicle (HOV) lanes and Express Lanes that do not participate in the US DOT HOV program.

Action

The Board is asked to review existing policy and discuss a more comprehensive motorcycle policy that addresses both Express Lanes corridors that participate in the US DOT HOV Program and Express Lane corridors that do not participate in the US DOT HOV Program. No formal action is required at this time.

Background

Motorcycles and bicycles - 23 U.S.C. 166(b)(2)

Motorcycles and bicycles must be allowed to use HOV facilities. However, a State may elect to restrict motorcycle or bicycle (or both) use of an HOV facility due to safety concerns. If a State does decide to exclude motorcycles and/or bicycles, a certification stating that their presence creates a safety hazard must be submitted to the FHWA for approval. Colorado has not opted for this exemption. The rationale behind allowing motorcycles to use HOV lanes is that it is safer to keep two-wheeled vehicles moving than to have them travel in start-and-stop traffic conditions.

Nationally where Express Lanes are not participating in the HOV Program motorcycles are considered a two axle vehicle and pay the posted toll rate.

With the expansion of the Express Lanes system in Colorado and the need to inform the public about how to use them, two issues would benefit from clarification and confirmation:

- 1) Motorcycles with an ExpressToll account and pass can ride for free on Express Lanes that allow HOV travel, but must pay the posted toll rate on Express Lanes that do not provide an HOV option (such as the eastbound Peak Period Shoulder Lanes on I-70 Mountain Corridor); and,
- 2) Motorcycles must obtain a free, non-revenue motorcycle sticker transponder if they wish to use the HOV/HOT lanes for free (without one, the motorcycle will incur a license plate toll charge). These transponders are small, clear circular stickers that are attached to the motorcycle's headlight. Note: This is consistent with passenger car vehicles that must obtain a transponder if they wish to use the HOV/HOT lanes for free (without one, the vehicle will incur a license plate toll charge). There will be a deposit of \$35 to establish the account with ExpressToll and to get the pass. This allows the motorcyclist to be charged a toll and not license plate toll, when using Express Lanes that are not HOV or other toll roads in Colorado (i.e. E-470 and Northwest Parkway).

Fiscal Impact

E-470, which currently provides toll processing services for HPTE, has approximately 13,000 established motorcycle accounts now. With the opening of HOV/HOT lanes on US 36 and I-25 North it is anticipated that the number of motorcycle specific customer accounts will increase. Education regarding motorcycle passes for Express Lanes is imperative to meet customer expectations and minimize LPT billing processes.

Public Outreach

On June 10, CDOT and HPTE staff met with ABATE, a motorcycle safety training and advocacy group to discuss their concerns. Their questions helped shaped the Express Lanes and Motorcycles FAQ sheet which accompanies this memorandum. CDOT has identified another twelve motorcycle advocacy and education groups in Colorado, and will be reaching out to them with information and meeting for discussion upon request.

Details

USC Title 23 Section 166 governs HOV facilities, and in paragraph (b) (2) says “the State agency shall allow motorcycles and bicycles to use the HOV facility” subject to a safety exemption process that the State must follow to prohibit motorcycles on HOV lanes.

CRS 42-4-1012 (2) says “A motorcycle may be operated on high occupancy vehicle lanes pursuant to section 163 of Public Law 97-424,” (the law also cited above as USC Title 23 Section 166) “or upon high occupancy toll lanes, unless prohibited by official traffic control devices.”

Key Benefits

Confirming existing regulations and policy governing the use of motorcycles on the State’s expanding Express Lane system will help inform the public and assist enforcement of HOV/HOT lane use.



TRAFFIC? I'LL PASS. *Express Lanes offer choice and reduced congestion.*

Using the Express Lanes: Motorcycle Rules

Can motorcycles use the Express Lanes for free?

If an Express Lane offers free HOV/carpool, then motorcycles can also use the lane for free. In order to do so, drivers will need to create an ExpressToll account and get a sticker tag that will identify them as a motorcyclist and not charge a toll. Motorcycles, with the tag, can use the lanes for free no matter how many people are on the vehicle.

How do motorcyclists create an account?

Motorcyclists without an ExpressToll account will need to create an account at Expresstoll.com with an opening toll account balance of \$35. Once an account is set up, account holders will receive a sticker tag in the mail which they can install on their motorcycle to begin using the HOV Express Lanes for free. The \$35 can be used for tolls on highways that don't offer an HOV option, such as E-470, Northwest Parkway or I-70 Mountain Express Lanes. **If your household already has an ExpressToll account you just need to add your motorcycle to the account information without any additional deposit.**

How do motorcyclists install their sticker tag?

Make sure you don't have any old transponders anywhere on the motorcycle. Clean and dry the motorcycle headlight so the sticker tag adheres properly. Use caution and do not bend the sticker tag. Then place the sticker tag horizontally 1 inch from the bottom of the headlight. Do not place the sticker tag on any metal surfaces.

Will the motorcycle tags for E-470 and NWP work on US 36?

Yes, the existing ExpressToll motorcycle tags will work on all US 36 and I-25 Express Lanes and anywhere HOV/carpool is offered on Express Lanes in Colorado. By having an ExpressToll account, motorcyclists can use E-470, the Northwest Parkway and any Express Lanes that don't offer HOV, for a toll and will avoid license plate tolling charges.



MOTORCYCLE STICKER TAG INSTALLATION IN TWO EASY STEPS:

STEP 1: MAKE SURE YOU DO NOT HAVE ANY OLD TRANSPONDERS ANYWHERE ON THE MOTORCYCLE.

If you do not remove old transponders, the transponder you are installing may not function properly. Clean and dry the motorcycle headlight so that the sticker tag adheres properly.

STEP 2: PLEASE USE CAUTION AND DO NOT BEND THE STICKER TAG.

Carefully peel off the sticker tag, the reader chip may be damaged and not work properly if the tag is bent. Then place the sticker tag horizontally 1 inch from the bottom of the headlight, center the sticker tag before adhering to light. **DO NOT PLACE THE TRANSPONDER ON ANY METAL SURFACE.**

Visit expresslanes.codot.gov for more information.



