

## Bay Area Infrastructure Financing Authority

### Notice of Public Hearing

The Bay Area Infrastructure Financing Authority (BAIFA) proposes to adopt an amended and restated Toll Facility Ordinance for high-occupancy vehicle (carpool) lanes in Alameda County, Contra Costa County, and Solano County that will be operated by BAIFA as express lanes (BAIFA toll facilities).

Express lanes are high-occupancy vehicle (carpool) lanes that also allow any driver to choose to pay a toll to use the lanes during high-occupancy vehicle (carpool) hours of operation, subject to toll facility rules. BAIFA's express lanes on I-680 between Walnut Creek and San Ramon opened to the public in October 2017, and tolling was extended from Martinez to Walnut Creek in the southbound direction in August 2021. BAIFA's express lanes on I-880 between Oakland and Milpitas opened to the public in October 2020. Additional express lanes will be constructed and operated by BAIFA in Alameda County, Contra Costa County, and Solano County in the future.

The purpose of the Toll Facility Ordinance, as amended and restated, is to establish tolls and a toll collection process for the BAIFA toll facilities, to establish civil penalties for the evasion of those tolls or noncompliance with other policies set forth in the ordinance, and to establish a program that addresses how motorists can enroll and participate in BAIFA's toll facility program. BAIFA proposes to amend its Toll Facility Ordinance to: 1) allow BAIFA to carry out pilot projects to test alternate tolling and discount policies and new technologies; 2) authorize BAIFA to approve future updates to penalty amounts and exceptions to the assessment of penalties by resolution adopted at a duly noticed public meeting; and 3) define the executive director of BAIFA's authority to suspend or reduce tolls or penalties or modify policies set forth in the ordinance to respond to emergencies. Other minor clarification and clean-up language is also proposed.

BAIFA is a joint powers authority of the Metropolitan Transportation Commission (MTC) and the Bay Area Toll Authority (BATA). BAIFA is authorized by California Streets and Highways Code Section 149.7 and California Vehicle Code Section 40250 *et seq.* to adopt the ordinance and construct and operate the express lanes.

BAIFA will hold one public hearing to receive oral testimony and written comments about the amended and restated ordinance. Copies of the amended and restated Toll Facility Ordinance, together with certain statutes, rules or regulations incorporated therein by reference, being considered for adoption are on file with the Secretary of the Board of BAIFA and open to public inspection at (<https://mtc.ca.gov/whats-happening/events/public-hearings>). Should you require a hard copy of the amended and restated ordinance, please submit your request to [info@bayareametro.gov](mailto:info@bayareametro.gov) or call 415-778-6757 and one will be mailed to you.

The public hearing will be held during BAIFA's regular meeting on:

**Wednesday, May 25, 2022 at 9:05 a.m. REMOTE (In person option available)**

Bay Area Metro Center

Board Room, 1<sup>st</sup> Floor

375 Beale Street, San Francisco, CA 94105

In light of Governor Newsom’s State of Emergency declaration regarding COVID-19 and in accordance with Assembly Bill 361’s (Rivas) provisions allowing remote meetings, this meeting will be accessible via webcast, teleconference, and Zoom for all participants. Meeting attendees may opt to attend in person for public comment and observation at 375 Beale Street, Board Room (1st Floor). In-person attendees must adhere to posted public health protocols while in the building.

Detailed instructions on participating via Zoom and phone are available at: <https://mtc.ca.gov/how-provide-public-comment-board-meeting-zoom>. The meeting Zoom link, phone and accessibility instructions will be posted to: <https://mtc.ca.gov/whats-happening/events/public-hearings> no less than 72 hours prior to the hearing.

In addition, the public can learn about and comment on the proposed amended and restated Toll Facility Ordinance through MTC’s website. More detail will be posted on MTC’s website ([www.mtc.ca.gov/express-lanes-policies](http://www.mtc.ca.gov/express-lanes-policies)) on or before April 20, 2022.

In order to allow staff to compile written comments prior to the public hearing, the public is encouraged to submit written comments by May 20, 2022 at 5:00 p.m.. Written comments may be submitted to MTC’s Public Information Office at 375 Beale St., Suite 800, San Francisco, CA 94105 or sent via e-mail to [expresslanes@bayareametro.gov](mailto:expresslanes@bayareametro.gov). Please include “BAIFA Toll Ordinance” in the subject line. After May 20, 2022 at 5:00 p.m., written comments may be submitted by email to [info@bayareametro.gov](mailto:info@bayareametro.gov) and will be accepted until 5:00 p.m. on May 24, 2022. Oral testimony will be received until the close of the public hearing on May 25, 2022. For more information, call MTC’s Public Information Office at 415-778-6757.

After receipt and review of public comments and testimony, BAIFA will consider the adoption of the amended and restated Toll Facility Ordinance at its June 22, 2022 meeting. The amended and restated Toll Facility Ordinance will be effective 30 days after its adoption. For more information, call the MTC Public Information Office at 415-778-6757.

Do you need an interpreter or any other assistance to participate? Please call 415-778-6757. We require at least three working days’ notice to accommodate interpreter requests. For TDD or hearing impaired, call 711, California Relay Service, or 1-800-735-2929 (TTY), 1-800-735-2922 (voice) and ask to be relayed to 415-778-6700.

¿Necesita un intérprete u otra asistencia para participar? Por favor llámenos con tres días de anticipación al 415-778-6757. Para telecomunicaciones para Personas Sordas y Discapacitadas (DDTP), favor de llamar 711, el Servicio de Retransmisión de California (CRS) para TTY/VCO/HCO a Voz y también Voz a TTY/VCO/HCO al 1-800-855-3000 o pedir que lo retrasmitan al 415-778-6700.

您是否需要翻譯員或任何其他幫助才能參加呢？請提前三天致電 415-778-6757。有聽覺或者語言障礙的人士，請打電話到 711，加州传达服务。电传打字机的联系号码是 1-800-735-2929。需要语音服务可以打电话到 1-800-735-2922，然后要求传达到 415-778-6700。

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