

**GENERAL MEETING OF THE BOARD OF DIRECTORS
OF THE
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY**

RESOLUTION NO. 23-042

**AMENDING THE MOBILITY AUTHORITY POLICY CODE § 301.002(c) TO MODIFY
THE MINIMUM RATES FOR THE MOPAC EXPRESS LANES AND ADDING §
301.0075 TO THE MOBILITY POLICY CODE REGARDING PREPAID LICENSE
PLATE BILLING**

WHEREAS, by Resolution No. 12-016 dated February 29, 2012, the Central Texas Regional Mobility Authority (“Mobility Authority”) Board of Directors (“Board”) adopted the Mobility Authority Policy Code (“Policy Code”); and

WHEREAS, subsequent to its initial adoption, the Board has amended the Policy Code from time to time in order to modify existing policies and incorporate new policies beneficial to the operation of the Mobility Authority; and


WHEREAS, the Executive Director recommends amending Mobility Authority Policy Code § 301.002(c), a copy of which is attached hereto as Exhibit A, to modify the minimum toll rates for the Mopac Express Lanes to adjust annually by \$0.07 per segment for calendar 2024, \$0.08 per segment for calendar 2025, and \$0.08 for calendar 2026 until the minimum toll rate is \$0.73 to coincide with the expected minimum toll rate for the 183 North managed lanes at the time it opens for tolling; and

WHEREAS, the Executive Director also recommends amending the Mobility Authority Policy Code by adding a new § 301.0075, a copy of which is attached hereto as Exhibit B, to collect payment from prepaid accounts for vehicles without transponders utilizing prepaid license plate account billing as a payment option for customers.

NOW THEREFORE, BE IT RESOLVED, that the Board hereby accepts and approves the amendments to Mobility Authority Policy Code § 301.002(c), regarding the modification of the minimum toll rates for the Mopac Express Lanes and the addition of new Mobility Authority Policy Code § 301.0075 regarding Prepaid License Plate Billing, which are attached hereto as Exhibit A and Exhibit B, respectively

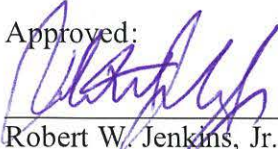
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 25th day of October 2023.

Submitted and reviewed by:



James M. Bass
Executive Director

Approved:



Robert W. Jenkins, Jr.
Chairman, Board of Directors



October 25, 2023
AGENDA ITEM #6

Discuss and consider amending the Mobility Authority Policy Code § 301.002(c) to modify the minimum toll rates for the Mopac Express Lanes and adding a new Mobility Authority Policy Code § 301.0075 regarding Prepaid License Plate Billing

Strategic Plan Relevance: Stewardship
Department: Finance
Contact: José Hernández, Chief Financial Officer
Associated Costs: N/A
Funding Source: N/A
Action Requested: Consider and act on draft resolution

Background – MoPac Managed Lanes - Section 301.002(a) of the Policy Code states that “the authority shall establish toll rates for each tolled facility operated by the authority. For the proposed action on the MoPac managed lanes, the Policy Code has stipulated five cent annual increases to the minimum toll rate annually for each segment to reach the current minimum rate of \$0.50 per segment. Currently Section 3001.003 of the Policy Code specifies the MoPac minimum rates to increase annually each January 1st, formulaically by the unadjusted index of Consumer Prices for All Urban Consumers (CPI_U) as recorded in October of the prior year. In order for the minimum toll rates on the MoPac managed lanes to be consistent with those of the 183N upon opening, it is recommended that the MoPac minimum rates be increased incrementally annually to reach \$0.73 per segment by January 1, 2026. The proposed annual incremental increases are seven cents for calendar 2024, followed by eight cents in each of calendar 2025 and 2026.

Prepaid License Plate Billing - In addition to transponder billing offered by the Mobility Authority as a prepaid account payment option, staff is proposing an additional billing and payment option for vehicles with a prepaid account using Authority toll roads without a transponder attached to the vehicle (typically on the windshield). In order to collect from prepaid accounts for vehicles without transponders, the Authority relies

upon the review of license plate images from those vehicles to match them with the appropriate prepaid accounts. This image review process incurs additional operational costs for the Authority. Images may be reviewed electronically or manually and also results in additional costs for the data platform billing processes. Therefore, staff is recommending the addition of a Prepaid License Plate Billing account rate tier to the Policy Code which would add 10 percent to the applicable transponder billing rate for vehicles with prepaid accounts that do not have a transponder attached to the vehicle.

Previous Actions - MoPac Managed Lanes - The minimum toll rates per segment for the CTRMA MoPac Managed Lanes have increased over the past six years as shown below.

Year	2018	2019	2020	2021	2022	2023
Minimum toll rate per segment	\$0.25	\$0.25	\$0.30	\$0.35	\$0.45	\$0.50
Increase/segment		\$0.00	\$0.05	\$0.05	\$0.10	\$0.05

Future Minimum Toll Rate Increases for MoPac Express Lanes - The proposed action would amend Section 301.002(c) of the Policy Code to provide that the minimum toll rate per segment for the MoPac Express Lanes will be adjusted annually each January 1st by \$0.07 per segment for calendar 2024, \$0.08 per segment for calendar 2025, and \$0.08 per segment for calendar 2026 until the minimum toll rate is \$0.73. Thereafter, the minimum toll rate per segment would follow the CPI_U annual adjustment outlined in Section 301.003 of the Policy Code..

Addition of Prepaid License Plate Billing to the Policy Code - The proposed action would add a new section to the Policy Code, Section 301.0075 Prepaid License Plate Billing, as a new rate tier for prepaid accounts for vehicles using Authority toll roads that do not have a transponder attached to them and instead utilize license plate image review for billing and payment. The new rate tier would be 10 percent higher than the applicable electronic transponder rate and is intended to offset the additional cost associated with processing transactions for payment for vehicles that do not present a tag when using Mobility Authority toll roads.

Staff Recommendation - Staff recommends adopting seven cent increase to MoPac Express Lanes gantries, bringing the minimum toll rate per segment to \$0.57 for calendar 2024, followed by two consecutive eight cent increases annually in the subsequent two calendar years to be effective for calendar 2025 and 2026, respectively. Staff also recommends the adoption of a Prepaid License Plate account toll rate tier, which adds 10

percent to applicable transponder toll rates on prepaid electronic tag accounts for vehicles that do not present a transponder when driving on CTRMA toll roads.

Backup Provided: Toll Rate Schedule

Stantec memo on Prepaid License Plate Billing rate tier

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WHEREAS, subsequent to its initial adoption, the Board has amended the Policy Code from time to time in order to modify existing policies and incorporate new policies beneficial to the operation of the Mobility Authority; and

WHEREAS, the Executive Director recommends amending Mobility Authority Policy Code § 301.002(c), a copy of which is attached hereto as Exhibit A, to modify the minimum toll rates for the Mopac Express Lanes to adjust annually by \$0.07 per segment for calendar 2024, \$0.08 per segment for calendar 2025, and \$0.08 for calendar 2026 until the minimum toll rate is \$0.73 to coincide with the expected minimum toll rate for the 183 North managed lanes at the time it opens for tolling; and

WHEREAS, the Executive Director also recommends amending the Mobility Authority Policy Code by adding a new § 301.0075, a copy of which is attached hereto as Exhibit B, to collect payment from prepaid accounts for vehicles without transponders utilizing prepaid license plate account billing as a payment option for customers.

NOW THEREFORE, BE IT RESOLVED, that the Board hereby accepts and approves the amendments to Mobility Authority Policy Code § 301.002(c), regarding the modification of the minimum toll rates for the Mopac Express Lanes and the addition of new Mobility Authority Policy Code § 301.0075 regarding Prepaid License Plate Billing, which are attached hereto as Exhibit A and Exhibit B, respectively

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 25th day of October 2023.

Submitted and reviewed by:

Approved:

James M. Bass
Executive Director

Robert W. Jenkins, Jr.
Chairman, Board of Directors

Exhibit A

MOBILITY AUTHORITY POLICY CODE

Chapter 3: OPERATIONS

Article 9. TOLL POLICIES

Subchapter A. TOLL RATES

301.001 Priority of Bond Documents

Notwithstanding any conflicting provision in this subchapter or in a prior resolution adopting the Toll Policies, the toll rates and schedules promulgated by the authority shall always be sufficient to meet or exceed all covenants and requirements set forth in all applicable bond documents and obligations of the authority. If any conflict arises between the bond documents and this subchapter or a prior resolution adopting the Toll Policies, the covenants and requirements of the bond documents shall control to the extent of such conflict.

301.002 Toll Rates

(a) The authority shall establish toll rates for each tolled facility operated by the authority. Each toll established by this section is subject to an adjustment on January 1 of each year under the procedure set forth in Section 301.003 (Annual Toll Rate Escalation). The executive director is authorized and directed to edit a toll established by this section to update and certify any change to a toll made pursuant to Section 301.003.

(b) The toll charge for each tolled facility operated by the authority shall be published on the authority website.

(c) The toll charged for use of the MoPac Express Lanes shall be comprised of both a minimum toll, as well as a variable component that is activated during higher traffic volumes.~~in nature. The minimum toll rate will be \$0.25 per Express Lane segment, in 2016 dollars.~~ The minimum toll rate per segment will be adjusted annually by \$0.075 per segment for calendar 2024, \$0.08 per segment for calendar 2025, and \$0.08 for calendar 2026 until the minimum toll rate is \$0.7350, which will coincide with the expected minimum toll rate for the 183N managed lanes at the time it opens for tolling. Once the MoPac Express Lanes at which point the minimum toll rate reaches \$0.73 per segment it will be adjusted annually in accordance with the methodology for toll rate escalation provided in Section 301.003. There shall be no maximum toll rate. To maximize throughput and maintain free flowing conditions, the toll rate for each MoPac Express Lane segment shall change on a real-time basis based on traffic volumes. When traffic volumes increase, the minimum toll rate shall be increased as much as necessary to prevent the MoPac Express Lane(s) from becoming congested. When traffic volumes decrease, the toll rate shall be reduced to encourage use of the MoPac Express Lane(s). The primary goal of the variable toll rate is to minimize congestion on the MoPac Express Lanes and to encourage more people to ride public transit or join a registered vanpool. Changeable message signs shall be located prior to the entrance of each MoPac Express

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Lane segment to notify customers of the current toll rate. A customer shall never pay more than the toll rate information shown on the sign located near the vehicle's entry point, but may be charged less. The Mobility Authority may reduce tolls if it determines that operational issues warrant such an adjustment.

Exhibit B

MOBILITY AUTHORITY POLICY CODE

301.0075 Prepaid License Plate Account Billing

[A The authority offers prepaid license plate account billing as a payment option for customers that use its toll facilities with an interoperable transponder account; however, do not present or display a transponder on the vehicle driven through toll road gantries. Instead of a transponder, the vehicle is identified through an image of its license plate and matched to the corresponding interoperable transponder account. Each transponder issuer that is interoperable with the authority's toll facilities has its own user agreement concerning requirements to open and maintain a transponder account. The authority will maintain a list of transponder programs that are interoperable with the authority's website. dd-text here....](#)

301.008 Video Billing

(a) The authority offers video billing as a payment option for customers that use its toll facilities without a transponder account. The authority, through a third-party vendor (the "Contractor"), will use the license plate information of a vehicle that does not have a valid toll transponder but travels on the authority's toll facilities to determine the registered owner of such a vehicle via an interface with Vehicle Title & Registration database or similar institution.

(b) The Contractor will send an invoice to the registered owner of the vehicle and accept payment on behalf of the authority. The Contractor will add a processing fee for each invoice. Payment of each invoice is required by the stated due date.

301.009 Establishment of Administrative Fee for Unpaid Tolls

(a) Section 370.177, Transportation Code, authorizes the assessment and collection of an administrative fee to recover the authority's cost of collecting unpaid tolls. An administrative fee may not exceed \$100.00 per unpaid toll. The authority has determined that such fees may vary depending on how far in the collection process a delinquent account proceeds.

(b) An administrative fee shall be applied at each phase of non-payment in addition to the unpaid toll. An additional administrative fee shall be imposed upon the filing of a criminal complaint for non-payment or upon the determination of habitual violator status.

(c) The administrative fee for each billing phase and enforcement level shall be approved by the authority and published on the authority's website.

(d) The board recognizes that the amount of the administrative fee should be subject to periodic change when collection costs and associated matters are considered. Therefore, the board delegates the authority to revise the administrative fee, or any aspect thereof, to the executive director, in consultation with the director of operations, and the executive director may revise an administrative

MOBILITY AUTHORITY POLICY CODE

fee by written amendment. The executive director shall give notice to the board of any such revision at the next regularly scheduled board meeting after the revision is put into effect.