

**GUIDING PRINCIPLES  
SB 1420 COMMITTEE REQUEST FOR RTC RESOLUTION  
FOR THE DEVELOPMENT OF THE IH 35E PROJECT**

**WHEREAS**, Interstate Highway 35 East (IH 35E) is of Statewide, National, and International importance for the movement of people and commerce now and for the long term future;

**WHEREAS**, IH 35E serves as “Main Street, DFW;”

**WHEREAS**, the expansion of IH 35E consists of adding managed/toll lanes, general purpose lanes and frontage road lanes from IH 635 in Dallas County to US 380 in Denton County and is herein after referred to as the IH 35E project;

**WHEREAS**, the IH 35E project has been designated as a high priority project by the Regional Transportation Council (RTC);

**WHEREAS**, local partners, including Denton County, Dallas County, cities along the corridor, the RTC, the Texas Department of Transportation (TxDOT), the North Texas Tollway Authority (NTTA), and Denton County Transportation Authority (DCTA), Congressional representatives and state legislators have been working for years to advance the IH 35E project;

**WHEREAS**, local partners have developed innovative funding methods to advance the project such as the partnership between Denton and Dallas counties where Denton County Regional Toll Revenue (RTR) funds were loaned to complete the IH 635 project and will be repaid by Dallas County RTR funds;

**WHEREAS**, the region prioritized funding for the DCTA A-train to be operational before the IH 35E managed lane project commences in order to mitigate traffic impacts during construction;

**WHEREAS**, the NTTA has waived primacy for the IH 35E project;

**WHEREAS**, the Texas Legislature has authorized the development of the IH 35E project as one of the few public-private partnerships that can proceed in Texas; and,

**WHEREAS**, Senate Bill 1420 (82<sup>nd</sup> Texas Legislature, Regular Session) requires for certain TxDOT toll projects, including the IH 35E project, that a committee comprised of representatives from local and regional stakeholders and TxDOT (The SB 1420 Committee) be formed to make determinations concerning the distribution of the project’s financial risk, the method of financing for the project, and the project’s tolling structure and methodology that will determine the project’s delivery method in order to ensure local and regional input into the process..

**NOW, THEREFORE, BE IT HEREBY AGREED THAT:**

**Section 1.** The SB 1420 Committee requests a Resolution from the RTC, agreeing to the Guiding Principles outlined in this document to be addressed by TxDOT on the IH 35E project.

- Section 2.** The RTC will request that the SB 1420 Committee issue a report containing determinations that are consistent with the findings of Mobility 2035 and the National Environmental Policy Act (NEPA) documents related to the IH 35E project.
- Section 3.** The RTC will work with Denton County to advance the IH 35E project, recognizing Denton County's commitment of local funds for the project in exchange for CMAQ funds.
- Section 4.** The RTC will assist local stakeholders in initiating conversations with the Texas Transportation Commission to allocate state funds to the project.
- Section 5.** The RTC will request that the SB 1420 Committee commit to meeting TxDOT's schedule to make the required determinations as soon as possible.
- Section 6.** The RTC will request that TxDOT complete the procurement process for the IH 35E project prior to the next regular session of the Texas Legislature.
- Section 7.** The RTC will commit that excess revenue derived within the limits of the project, is utilized for the development of projects in order to complete the full build out of the IH 35E project.

**SIGNED,**

---

Michael Morris, NCTCOG  
Committee Chair

# MANAGED LANE POLICIES

1. A fixed-fee schedule will be applied during the first six months of operation; dynamic pricing will be applied thereafter.
2. The toll rate will be set up to \$0.75 per mile during the fixed-schedule phase. The established rate will be evaluated and adjusted, if warranted, with Regional Transportation Council (RTC) approval.
3. Toll rates will be updated monthly during the fixed-schedule phase.
4. Market-based tolls will be applied during the dynamic-pricing phase. During dynamic operation, a toll rate cap will be established. The cap will be considered “soft” during times of deteriorating performance when a controlled rate increase above the cap will be temporarily allowed.
5. Transit vehicles will not be charged a toll.
6. Single-occupant vehicles will pay the full rate.
7. Trucks will pay a higher rate, and no trucks will be permitted in the LBJ tunnel.



# MANAGED LANE POLICIES

## (continued)

8. High-occupancy vehicles of two or more occupants and vanpools will pay the full rate in the off-peak period.
9. High-occupancy vehicles of two or more occupants will receive a 50 percent discount during the peak period.\* This discount will phase out after the air quality attainment maintenance period. RTC-sponsored public vanpools are permitted to add peak-period tolls as eligible expenses. Therefore, the Comprehensive Development Agreement (CDA) firm will be responsible for the high-occupancy vehicle discount and the Regional Transportation Council will be responsible for the vanpool discount.
10. The toll rate will be established to maintain a minimum average corridor speed of 50 miles per hour.

\*6 hours per weekday: 6:30 a.m. - 9:00 a.m. and 3:00 p.m. - 6:30 p.m.



# MANAGED LANE POLICIES

## (continued)

11. During the dynamic-pricing phase, travelers will receive rebates if the average speed drops below 35 mph. Rebates will not apply if speed reduction is out of the control of the operator.
12. Motorcycles qualify as high-occupancy vehicles.
13. No discounts will be given for “Green Vehicles.”
14. No scheduled inflation adjustments will be applied over time.
15. Every managed lane corridor will operate under the same policy.
16. Adoption of this policy will have no impact on the Regional Transportation Council Excess Revenue Policy previously adopted.



# MANAGED LANE POLICIES

## (continued)

17. The Regional Transportation Council requests that local governments and transportation authorities assign representatives to the Comprehensive Development Agreement procurement process.
18. The duration of the Comprehensive Development Agreement should maximize potential revenue.
19. Tolls will remain on the managed lanes after the Comprehensive Development Agreement duration.

Handout 3.1

RTC Approved – May 11, 2006  
RTC Modified – September 14, 2006  
RTC Modified – September 13, 2007

