

PBOT

PORTLAND BUREAU OF TRANSPORTATION

1120 SW Fifth Ave, Suite 1331, Portland OR 97204

Main: 503-823-5185 TTY: 503-823-6868 Fax: 503-823-7576 Portland.gov/Transportation

Jo Ann Hardesty Commissioner **Chris Warner** Director

March 16th, 2021

Senator Byer, Co-Chair
Representative McLain, Co-Chair
Joint Committee on Transportation
Oregon State Legislature
900 Court Street NE Salem, OR 97301

Co-Chair Beyer, Co-Chair McLain, and Members of the Committee:

Thank you for your ongoing work to address transportation issues throughout Oregon. At both the city and state level, we face daunting transportation challenges, and we have much work ahead of us to create a multimodal system that supports all travelers in getting where they need to go safely, affordably, sustainably and equitably.

The City of Portland was a supporter of HB 2017. We truly appreciated the additional transportation funding it set in motion and we were especially thankful for the funding for Outer Powell, a high crash corridor and one of the many statewide orphan highways that has been neglected for so long. Portland was also excited by the Legislature's commitment to Value Pricing, as it was called at the time of HB 2017's passing.

With the commitment to Value Pricing, the Legislature sent our region down an innovative path to using a proven policy tool to manage our highway system as efficiently as possible, leading to better mobility, climate, equity and revenue outcomes. The City of Portland, alongside many regional stakeholders, was deeply engaged in the Value Pricing Feasibility Analysis and served as a member of the Value Pricing Policy Advisory Committee. Through this process, we remained excited about the potential for pricing to be a valuable tool to help us achieve better transportation outcomes.

Recently, we have become concerned that the Oregon Toll Program, as it is now called, is focusing more on raising revenue and less on a climate, mobility and equity focused congestion pricing design. The -5 amendment of HB 3065 maintains this revenue focus and we believe that it moves the program in the wrong direction.



The City of Portland ensures meaningful access to city programs, services, and activities to comply with Civil Rights Title VI and ADA Title II laws and reasonably provides: translation, interpretation, modifications, accommodations, alternative formats, auxiliary aids and services. To request these services, contact 503-823-5185, City TTY 503-823-6868, Relay Service: 711.

We are aware that the State has maintained that there are two purposes to tolling/value pricing: 1) raising revenue and 2) managing congestion, and we are certainly sympathetic to the critical need for transportation funding. However, the City of Portland has been consistent in voicing our position that the primary purpose of a pricing program should be to manage demand on the transportation system. With a focus on pricing as a tool to manage demand, the prices can be set to encourage the most efficient and equitable use of expensive highway infrastructure. A true focus on demand management would also mean that significant revenues would be allocated across the multimodal system (not just on the highways themselves) to provide people with the many options they need in order to reduce overall drive alone trips—and in turn, reduce transportation carbon emissions, the biggest source of greenhouse gas emissions in our state. Setting up a tolling program that doesn't prioritize demand management ignores our worsening climate crisis and runs counter to the Governor's direction in Executive Order 20-04, in which state agencies are directed to "exercise any and all authority and discretion vested in them by law to help facilitate Oregon's achievement of the GHG remissions reduction goals."

HB 3065 –5 does not prioritize demand management. Instead, it creates a revenue-first tolling system intended to raise money for an ever-growing list of highway improvement projects. While we appreciate that the amendment includes congestion management as one of the purposes of tolling, we do not believe that the focus on funding major highway projects will lead to that outcome. There will be very little (if any) revenue available for the local system multimodal improvements that would help with demand management. We also fear there will not be funding available for local arterials which will undoubtedly see traffic diverted from the major highways. Our local system is likely to become more congested and less safe as a result of this proposed program. Again, we want to acknowledge and appreciate the addition of language around income-based toll rates. This is a positive step to meet the needs of low-income Oregonians. Still, overall, this bill is a proposal to toll to raise revenue for highway projects and it is not something that the City of Portland can support as it is inconsistent with our climate, equity, safety and mobility goals.

In addition, we are concerned that this bill would direct potential future revenue from any City of Portland implemented congestion pricing program into the state-led Toll Program Fund. In 2020, at the direction of Portland City Council, we convened the Pricing Options for Equitable Mobility (POEM) Community Task Force to advise on the potential role pricing strategies could play in Portland to advance climate, equity and mobility outcomes. We have heard consistently from the Task Force that the use of revenue is one of the most critical components in creating a pricing program that advances equity and climate goals. If we were to pursue such a strategy in the future, it would be critical that we maintain local authority over the use of the revenue.

HB 3065 –5 also contains Jurisdictional Transfer language. We are pleased to see funding for the long-neglected 82nd Avenue included in the bill. However, we are very concerned that this proposal directs the City of Portland to pay for the majority of State of Good Repair costs.

82nd Avenue is important to the diverse communities who live nearby, the people who ride the line 72, TriMet's busiest bus line, and the business owners who depend on customers and freight reaching them. Over the years, ODOT has allowed 82nd Avenue, like many state-owned urban arterials, to fall into disrepair by neglecting both safety and maintenance needs. As a result, 82nd Avenue has pavement that is in poor to very poor condition and is one of the 30 highest crash streets in Portland for people walking, biking and driving. A sobering 16 traffic-related deaths occurred on 82nd Avenue between 2007 and 2018.

In 2018, ODOT Region 1 and the Portland Bureau of Transportation entered into a memorandum of understanding to identify feasible near-term improvements while working toward a longer-term agreement on jurisdictional transfer. PBOT and ODOT staff have worked toward a shared understanding of the costs to make basic improvements to the roadway. PBOT estimates that it would cost close to \$200 million (\$2019) to bring 82nd Avenue to a state of good repair and to achieve basic safety.

The current proposal that ODOT determine the state of good repair cost and then transfer the facility to the City with a payment of 25% of that cost is unacceptable and inconsistent with past practice. We were also surprised that despite the ongoing conversation about long-term ownership of 82nd Avenue and our support for ODOT and community negotiations through Metro's Get Moving 2020 process, we were not brought to the table to discuss the proposal in this bill. As a result, this is a proposal that we are strongly opposed to.

We stand ready to partner with ODOT to use this funding as a down payment on safety, and to continue the conversation about how to eventually transfer 82nd Avenue to City ownership. We also urge ODOT to make immediate safety improvements by using its own Blueprint for Urban Design to successfully manage this roadway as the important civic corridor that it is.

Thank you for your consideration of these important issues. The City looks forward to more involvement in these critical decisions about the future of our transportation system.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Warner". The signature is fluid and cursive, with the first name "Chris" and last name "Warner" clearly distinguishable.

Chris Warner
Director, Portland Bureau of Transportation