

# Testimony Submission Form

Committee Name: Joint Committee on Transportation

Meeting Date: 9-26-24

First Name: John Last Name: Mcabe

Organization or City of Residence:

West Linn / Stafford

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*Please remember to attach your written testimony to the back of this form.*

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**RE: September 18th Toll Rulemaking Hearing**

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From BROUWER Travis <Travis.BROUWER@odot.oregon.gov>

Date Thu 9/19/2024 9:59 AM

To John J. McCabe <dbjmcm@msn.com>

Cc OTC Admin <OTCAAdmin@odot.oregon.gov>; WILLIAMS Hannah <Hannah.WILLIAMS@odot.oregon.gov>

John:

I wanted to follow up with you on a few key points.

First off, due to the problem you pointed out with the signup form we are going to host a second public hearing for anyone who wasn't able to get into the first. This time we will NOT require advance signup, since clearly that didn't work; we'll just ask people to raise their hands when they're in the hearing. We are looking at doing this next Thursday the 26<sup>th</sup> from noon-1 pm, so look for that notice and please share it with anyone who may want to attend. Thanks again for pointing this issue out to us, and again I apologize if I came across as dismissive.

I also wanted to respond to a few of the more substantive concerns you expressed. Below you say "it was stated that the OTC will approve the tolling activity going into effect in 2025 in the Metropolitan area". Due to the Governor's pause on tolling I can assure you that tolling will not be going into effect anywhere in the metro area except on the Interstate Bridge anytime soon. The toll rules are designed to provide the OTC the authority needed to toll the Interstate Bridge in collaboration with Washington, but they intentionally left out all the components that would be needed for ODOT to operate a toll program, such as rules on accounts, payments, etc. As such, we could not move forward with a tolling program without promulgation of additional rules. That won't happen without direction from the Governor and/or the Legislature on tolling.

You also referenced that our financial statement proves that we do not have a deficit. I want to clarify that the shortfall that Mr. Strickler referenced is not a financial deficit that would show up in a financial statement. It is a shortfall based on an assessment of the total investment needed to maintain and preserve roads and make them safe, as well as the costs to operate the agency, compared to how much money we currently have available. For example, we have 2700 bridges on the state highway system and with current funding we are able to replace about 3 per year. To get to a 100 year replacement cycle that is appropriate for bridges we would need significant additional resources; without that our bridges will continue to decay and some will have to be closed to some types of traffic. We face a similar deficit across multiple types of infrastructure.

I believe you have also pointed to our FY 2023 financial statement all funds balance sheet (page 15 of the PDF to which you linked) that shows nearly \$1.6 billion in total funds indicates ODOT does not have a financial shortfall. However, we have tried to be very clear that ODOT has a financial shortfall specifically in the State Highway Fund resources that we can use to perform day to day road maintenance and operate the agency (general O&M). The all funds balance sheet includes a number of other funds that are dedicated to specific purposes by statute or other requirements and cannot be used for O&M. This includes funds from the payroll tax for public transportation (the Statewide Transportation Improvement Fund) and proceeds of bond sales that are required by law and bond covenants to be used for specific projects as well as many other sources of funds that cannot be used for general O&M activities. Our funding for O&M is flat or declining even as our costs for these functions continue to grow with inflation, putting us in a place where we can't cover all of our growing costs and will have to make difficult decisions about what services to cut if we don't have any additional resources.



I would be happy to talk with you about any of this if you would like additional information, or even have you speak to the gentleman who puts together our financial statement if you want more specifics about what that shows (and doesn't show). Let me know if you would like a further conversation.

Travis Brouwer  
ODOT Assistant Director  
503-931-0892

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**From:** John J. McCabe <dbjmcm@msn.com>  
**Sent:** Wednesday, September 18, 2024 3:17 PM  
**To:** BROUWER Travis <Travis.BROUWER@odot.oregon.gov>; OTC Admin <OTCAAdmin@odot.oregon.gov>; WILLIAMS Hannah <Hannah.WILLIAMS@odot.oregon.gov>; STRICKLER Kristopher W <Kristopher.W.STRICKLER@odot.oregon.gov>  
**Cc:** Governor.kotek@oregon.gov; WARNER Chris \* GOV <Chris.WARNER@oregon.gov>; Sen Frederick <FrederL@oregonlegislature.gov>; fbubenik@tualatin.gov; vpratt@tualatin.gov  
**Subject:** Re: September 18th Toll Rulemaking Hearing

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<https://www.oregon.gov/odot/About/Finance/Annual%20Financial%20Report%20FY23.pdf>

Mr. Brouwer;

I do not appreciate this response that I have received from your office. So I have attached a screen shot of how nobody that used a personal email could sign up for the meeting. I was only able to sign up for the virtual meeting with the assistance of Micayk from the OTC office. If not for her assistance I would have never been able to sign up to testify.

When you consider hundreds of citizens have been at several Legislator Town Halls questioning tolling and many of them were under the belief that tolling (other than the I5 Bridge) had come to an end. Instead, it was stated that the OTC will approve the tolling activity going into effect in 2025 in the Metropolitan area, with absolutely no concern of the diversion that will occur (and already occurs).

But could they sign up for the virtual meeting today? The screenshot shows they could not, so basically, I am being called a liar by your office.

So I have also attached the link for the 6/30/23 ODOT audit (signed by Kris Strickler) that shows there is no \$1.7 Billion Dollar Deficit on an annual basis .Yet that is what the Tualatin Chamber of Commerce was informed recently by Mr. Strickler.

So when will the public stop being misinformed by ODOT of the Financial Status of ODOT? Based on your response of calling me a liar today, I don't think I have much hope.

John McCabe  
503-35-5319

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**From:** BROUWER Travis <Travis.BROUWER@odot.oregon.gov>  
**Sent:** Wednesday, September 18, 2024 12:49 PM